IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.2595 of 2022

Gondouri Sao, S/o Late Khagan Sao @ Khagan Teli, R/o Village Kadma no.-II, P.O. & P.S. Katkamsandi, District Hazaribagh.

... ... Petitioner

Versus

1. State of Jharkhand, through the Joint Secretary to the Government, Revenue, Registration and Land Reforms Department, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. Dhurwa, P.S. Jagganathpur, District Dhanbad.
2. The Deputy Commissioner, Hazaribagh, having its office at Hazaribagh, P.O. & P.S. Hazaribagh, District Hazaribagh.
3. The Land Reforms Deputy Collector, Hazaribagh, having its office at Hazaribagh, P.O. & P.S. Hazaribagh, District Hazaribagh.
4. The Circle Officer, Katkamdag (Previously known as Katkamsandi) having its office at Katkamdag, P.O. & P.S. Katkamdag, District Hazaribagh.
5. Jogendra Kumar Singh, son of Late Kunwar Balram Singh, resident of Village Kadma no.-II, P.O. & P.S. Katkamsandi (now Katkamdag), District Hazaribagh.

... ... Respondents

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Manoj Kr. Choubey, Advocate
Mr. Gautam Kumar Pandey, Advocate

For the Respondent(s) : Mr. Manoj Kumar, GA-III
Mr. Chanchal Jain, Advocate

08/ 02.09.2026

By filing this Writ Petition, the petitioner has prayed for the following reliefs:-

> *"for issuance of writ(s)/ order(s)/ direction(s) specially a writ of certiorari for quashing the order dated 23.12.2021 (Annexure-4) passed by the respondent no.3 i.e. Land Reform Deputy Collector, Hazaribagh in 'Miscellaneous Appeal Case no.84/2015-16' whereby and whereunder, the respondent no.3 exercising its power beyond its jurisdiction has cancelled the long standing jamabandi created in favour of petitioner's father related to land measuring an area of 40 decimal, khata no.46, Plot no.1041 and mentioned in Jamabandi Register-II, Page-29 Vol-IV, and accordingly directed the office to send the lower court record to the office of Circle Officer, Katkamdag with this recommendation the*

Circle Officer, send the record to the office of the Deputy Collector Land Reforms, Hazaribagh;

AND

The petitioner's further pray for issuance of writ(s)/ order(s)/ direction(s), declaring that the order dated 10.10.2015 passed in Misc. Case no.03/2015 by the respondent no.4 i.e. Circle Officer, Katkamdag Circle, Hazaribag is correct and binding upon the parties.

And/or

Further the petitioner prays for staying the execution and implementation of impugned order dated 23.12.2021 passed by the respondent no.3 during the pendency of this writ application;

And/Or

Further the petitioner prays for issuance of direction to the respondent authorities not to take any action coercing the petitioner to vacate the land in question during the pendency of the present writ application;"

2. Heard learned counsel representing the petitioner and learned counsel representing the respondents.

3. In this case, it is the allegation that the *Jamabandi*, which was running in the name of this petitioner, was cancelled at the behest of respondent No.5.

4. After going through the records, it is apparent that long running *Jamabandi* of the petitioner was cancelled by the impugned order dated 23.12.2021 passed by the Deputy Collector Land Reforms (DCLR), Sadar, Hazaribagh.

4.1. Further, I find that both the parties are claiming title over the land in question.

5. Claim of title cannot be decided in an application under Article 226 of the Constitution of India.

6. Since the main dispute now is the rival claim between the petitioner and respondent No.5, in respect of the title of land, the Revenue Authority i.e. the DCLR, should not have entertained the aforesaid dispute and annulled the long standing *Jamabandi* recorded in the name of ancestor of the petitioner. In fact, the impugned order touches the question of title of the parties, which also should not have been done. Appropriate would have been for the DCLR, to refer the matter before the Civil Court.

7. Thus, the impugned order dated 23.12.2021 in

Miscellaneous Appeal Case no.84/2015-16 (Jogendra Kumar Singh Vs. Gondouri Sao), passed by the DCLR, Sadar, Hazaribagh (Annexure-4 to the Writ Petition), is hereby set aside.

7.1. On the facts of this case, since the *Jamabandi* of this petitioner was running since long i.e. at least from the year 1959, respondent No.5 should approach the Civil Court of competent jurisdiction, claiming right, title and interest over the land in question. The petitioner will also have the same liberty, if he so wishes.

7.2. The parties will abide by the judgment of the Civil Court, and if necessary, after the judgment and decree passed by the Civil Court, the revenue records will be corrected in terms of the said judgment and decree.

8. With the aforesaid observations and directions, this Writ Petition stands **disposed of**.

(ANANDA SEN, J.)

02nd September, 2026
Prashant. Cp-2

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