2026:JHHC:32094

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (C) No. 6209 of 2026

Irshad Alam Khan, son of Late Aziz Khan, resident of Village- Bhadwa, P.O.- Chainpur, P.S.- Mandu, District- Ramgarh

… … Petitioner

Versus

1. The State of Jharkhand through its Chief Secretary, Government of Jharkhand, Ranchi
2. The Additional Collector, Ramgarh
3. The Land Reforms Deputy Collector (LRDC), Ramgarh
4. The Circle Officer, Mandu, District- Ramgarh
5. Azad Mirza, son of Late Farukh Mirza, resident of village- Bhadwa, P.O.- Chainpur, P.S.- Mandu, District- Ramgarh

…. … Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. A.K. Sahani, Advocate
For the Respondents : Mr. Munna Lal Yadav, S.C. (L&C)-III
Mr. Deepak Kumar, A.C. to S.C. (L&C)-III

Order No. 03 **Dated: 02.11.2026**

1. The present writ petition has been filed for quashing the impugned order dated 26.06.2026 (Annexure-8 to the writ petition) passed by the Circle Officer, Mandu (the respondent no. 4) in Mutation Case No. 66 R27 of 2026-27 whereby the mutation application filed by the respondent no. 5-Azad Mirza with respect to the land appertaining to plot no. 195, Khata No. 10, Mouza- Bhadwa, Circle- Mandu, District- Ramgarh measuring an area of 23 decimals (hereinafter to be referred as "the said land") has been allowed. Further prayer has been made for quashing the entry of *Jamabandi* opened in the name of the respondent no. 5 in Register-II as well as the rent receipt issued by the respondent no. 4 with respect to the said land pursuant to the order dated 26.06.2026. The petitioner has also prayed to restore *Jamabandi* of the said land in Register-II earlier opened in his name as well as to issue up-to-date rent receipts for the same.

2. Learned counsel for the petitioner submits that the vendor of the land in question namely Ludha Gope had earlier filed a writ petition before this Court being W.P.(C) No. 5601 of 2006 challenging the order dated 10.05.1990 passed by the Land Reforms Deputy Collector, Hazaribagh (the respondent no. 3 herein as by that time, Ramgarh was not the district) in Rent Assessment Case No. 01 of 1990 whereby *jamabandi* of the said land opened in the name of Ludha Gope was cancelled and the rent was assessed in favour of the respondent no. 5 of the said case i.e., Vijay Saw. Ludha Gope had also challenged the order dated 14.10.2003 passed by the Additional Collector, Hazaribagh in Mutation Revision Case No. 25 of 1990 as well as the order dated 21.08.2006 passed by the Commissioner, North Chotanagpur Division, Hazaribagh in Mutation Revision Case No. 08 of 2004 affirming the order dated 10.05.1990 passed in Rent Assessment Case No. 01 of 1990.

3. It is also submitted that subsequently, Jamo Devi, Ramsevak Gope and Sanju Devi were substituted in W.P.(C) No. 5601 of 2006 being legal heirs of Late Ludha Gope. The petitioner was intervenor in the said writ petition which was disposed of vide order dated 20.06.2022 setting aside the order dated 10.05.1990 passed by the respondent no. 3 in Rent Assessment Case No. 01 of 1990 as well as the orders dated 14.10.2003 and 21.08.2006 passed by the Additional Collector, Hazaribagh and the Commissioner, North Chotanagpur Division, Hazaribagh respectively directing the respondent no. 3 to initiate Rent

Assessment Case No. 01 of 1990 afresh and to pass order in accordance with law. The said respondent was also directed to ensure that all the parties must be properly substituted and the notices be duly served to the necessary parties.

4. It is further submitted that the petitioner along with two others challenged the order dated 20.06.2022 passed in W.P.(C) No. 5601 of 2006 by filing L.P.A. No. 286 of 2022, however the order of the learned Single Judge passed in the said writ petition was not interfered and the appellants including the petitioner were granted liberty to raise all their points before the respondent no. 3 in Rent Assessment Case No. 01 of 1990.

5. The grievance of the petitioner as raised in the present writ petition is that Rent Assessment Case No. 01 of 1990 is still pending before the respondent no. 3 and in the meantime, one Ranjit Prasad son of Late Vijay Saw [the respondent no. 5 of W.P.(C) No. 5601 of 2006] has sold the said land to Azad Mirza (the respondent no. 5 of the present case). The said land has also been mutated in the name of the respondent no. 5 vide order dated 26.06.2026 passed in Mutation Case No. 66 R27/2026-27/Mandu followed by the entry made in Register-II in his name.

6. Mr. Munna Lal Yadav, learned S.C. (L&C)-III appearing on behalf of the State respondents, submits that since the petitioner is a party in Rent Assessment Case No. 01 of 1990, instead of preferring the present writ petition, he should have brought the aforesaid facts to the notice of the respondent no. 3 who is

otherwise the appellate authority under the provisions of Bihar (now Jharkhand) Tenants' Holdings (Maintenance of Records) Act, 1973.

7. I find substance in the submission of the learned counsel for the State respondents. The contention of the petitioner is that Rent Assessment Case No. 01 of 1990 is still pending before the respondent no. 3 and in the meantime, the respondent no. 4 has mutated the said land in the name of the respondent no. 5 who has purchased the same from Ranjit Prasad son of Late Vijay Saw [the respondent no. 5 of W.P.(C) No. 5601 of 2006]. The said issue can be duly appreciated by the respondent no. 3 in Rent Assessment Case No. 01 of 1990 which is said to be pending before the said authority. Even otherwise, he is also the higher revenue authority than the respondent no. 4.

8. Under the said circumstance, the petitioner is given liberty to make an application before the respondent no. 3 in this regard within three weeks from today. The respondent no. 3 on receipt of the said application, shall examine as to whether Rent Assessment Case No. 01 of 1990 is still pending before him. If so, he will take up the same on priority and dispose of in accordance with law after providing due opportunity of hearing to all the concerned parties within three months from the date of filing of the said application by the petitioner.

9. Moreover, the petitioner is also at liberty to prefer an appeal before the respondent no. 3 challenging the order of mutation dated 26.06.2026 passed by the respondent no. 4 in Mutation

Case No. 66 R27 of 2026-27 within three weeks. If such an appeal is preferred by the petitioner within the said period, the respondent no. 3 will simultaneously take up the said appeal and will also dispose of the same in accordance with law after providing due opportunity of hearing to all the concerned parties within a period of three months.

10. The writ petition is accordingly disposed of with aforesaid liberty and direction.

(Rajesh Shankar, J.)

November 02, 2026
Ritesh/
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