IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 464 of 2026

Sriram Dubey, aged about 46 years, Son of Hari Narayan Dubey, Resident of H. No. 42, New Tata Line, Golmuri, Jamshedpur, P.O.- Golmuri, P.S- Sidhgora, District -East Singhbhum, Jharkhand ….Appellant

Versus

1. The State of Jharkhand,
2. The Chief Secretary, Government of Jharkhand, having its office at Project Building, Dhurwa, P .O.+P.S. Dhurwa, District - Ranchi, Jharkhand
3. The Principal Secretary, Revenue and Land Reforms Department, Government of Jharkhand, having its office at Project Building, Dhurwa, P .O.+P.S. Dhurwa, District -Ranchi, Jharkhand
4. Deputy Commissioner, East Singhbhum, Jamshedpur, having its office at Bistupur, Jamshedpur, P.O.+P.S.-Bistupur, District - East Singhbhum, Jharkhand
5. Additional Collector, East Singhbhum, Jamshedpur, having its office at Bistupur, Jamshedpur, P.O.+P.S. Bistupur, District - East Singhbhum, Jharkhand
6. Senior Superintendent of Police, East Singhbhum, Jamshedpur, having its office at Bistupur, Jamshedpur, P.O. + P.S. Bistupur, District - East Singhbhum,
7. Sub - Divisional Officer, Dhalbhumgarh, East Singhbhum, Jamshedpur, having its office at Bistupur, Jamshedpur, P.O. + P.S. Bistupur, District East Singhbhum, Jharkhand,
8. The Circle Officer, Jamshedpur, having its office at Khasmahal, P.O.- Tata Nagar, P.S. -Parsudih, District East Singhbhum, Jharkhand
9. Jamshedpur Notified Area Committee, Jamshedpur, having its office at Sakchi, P.O. + P.S. Sakchi, District East Singhbhum, Jharkhand
10. Officer- in- Charge, Bistupur P.S., having its office at Bistupur, P.O. + P.S. Bistupur District East Singhbhum, Jharkhand, ... Respondents

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CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Appellant : Mr Manoj Kumar Choubey, Advocate
Mr Madhav Prasad, Advocate

For the Respondents: Mr Vibhor Mayank, A.C. to A.G.

03/Dated: 21.09.2026 Per: M.S. Sonak C.J.

1. Heard Mr Manoj Kumar Choubey, learned counsel for the appellant, and Mr Vibhor Mayank, learned A.C. to A.G. for the respondents.

2. This appeal challenges the learned Single Judge's order dated 09.07.2026 disposing of W.P. (C) No. 4838 of 2026.

3. The appellant, a practising advocate, alleged encroachments in the old civil court complex, which is controlled by the Deputy Commissioner, East Singhbhum, Jamshedpur, and that the authorities are not taking action against the alleged encroachers.

4. On 24.8.2026, after hearing the learned counsel for the parties, we made the following orders:-

> *"1. Heard Mr Manoj Kumar Choubey for the appellant and Mr Vibhor Mayank, learned A.C. to A.G., for the State.*
>
> *2. Mr Mayank has objection to the very maintainability of the petition and consequently, this LPA. However, without prejudice of such objection, he states that the Deputy Commissioner, East Singhbhum, Jamshedpur will visit the old Civil Court Campus to see whether any area within the campus has been unauthorisedly occupied or encroached.*
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> *3. Accordingly, we defer the hearing in this appeal to 21st of September 2026."*

5. Pursuant to our order dated 24.08.2026, the Deputy Collector Land Reforms, East Singhbhum, Jamshedpur has filed a supplementary

counter affidavit on behalf of the Deputy Commissioner, East Singhbhum, Jamshedpur.

6. From the affidavit, it appears that there are some encroachments as alleged by the appellant; however, they are mainly temporary structures made of bamboo poles and thatched roofs. They are mainly used by vendors selling tea, snacks, etc., which are consumed by the advocates and the litigants attending the court complex.

7. Paragraphs 5, 6 and 7 of the supplementary affidavit filed on behalf of the respondents state that a committee has been constituted to look into the issue and will take a decision on it.

8. The contents of paragraphs 5, 6 and 7 of the supplementary affidavit filed on behalf of the respondents read as follows:-

> *"5. That it is humbly stated and submitted that in compliance to the Hon'ble court order dated 24.08.2026 the Deputy Commissioner, East Singhbhum, Jamshedpur vide order contained in Letter No. 2334, dated 10.09.2026 constituted a committee comprising of Additional Deputy Commissioner, East Singhbhum, Jamshedpur (Chairman), Sub Divisional Officer, Dhalbhum (Member), The Deputy Municipal Commissioner, Jamshedpur Notified Area Committee (Member) and Circle Officer (Member), to investigate the encroachment done illegally in the old court campus and further directed that after investigation, ensure to submit a point wise report by 15.09.2026.*

6. That it is humbly stated and submitted that the Circle Officer, Jamshedpur vide Letter No. 1505, dated 16.09.2026 informed the Additional Deputy Commissioner, East Singhbhum, Jamshedpur that in compliance with the instructions received, the concerned Revenue Sub Inspector, Circle Inspector, Circle Amin, Jamshedpur and Circle Amin, Mango jointly appeared at the old court campus under Bistupur Police Station for site inspection. During the site inspection, on the basis of recent survey revenue map and available revenue records it was found that various persons have encroached upon a portion of Plot No. 162 and 163 under Mouza - Notified Area Committee, Jamshedpur, Ward No. 06, Khata No. 06 by constructing temporary structures of bamboo poles and plastic thatch roof. The structures found on the site were measured, the nature of the structure was noted and the name of the encroacher was recorded. Structures for which the person concerned could not be identified were marked "unknown."

7. That it is humbly stated and submitted that Additional Deputy Commissioner, East Singhbhum, Jamshedpur vide Letter No. 1706, dated 18.09.2026 informed the Deputy Commissioner, East Singhbhum, Jamshedpur that a joint investigation was conducted into the encroachment at the Old Court Complex. A report on the subject matter was received from the Circle Officer, Jamshedpur, via letter number 1505, dated 16.09.2026. A photocopy of the report and the joint investigation report are attached."

9. While we see no good reason not to allow the committee so constituted to look into the issue and take appropriate decisions,

we feel that it would be better if the committee were chaired by the Principal District Judge, East Singhbhum, Jamshedpur, and that the President of the Bar Association at East Singhbhum, Jamshedpur, be a part of such a committee. We think such **a** committee would be best suited to deal with this issue and take appropriate decisions in the interest of all concerned.

10. Ultimately, this committee must also consider that it is dealing with some encroachers who have put up temporary structures to eke out a livelihood and provide services to the advocates and litigants attending the court complex.

11. Whilst encroachments and lawlessness in a Court complex by anyone cannot be tolerated, the committee should consider whether a suitable area should be earmarked for small vendors, and, to that extent, whether an appropriate and proportionate solution is reached. However, we are not issuing any directions in this regard; we are only indicating that these are the matters which the committee should consider when reaching an appropriate decision on this issue.

12. Mr Vibhor Mayank, learned A.C. to A.G., submits that there would be no difficulty in including the Principal District Judge, who could also chair the committee, and further, the President of the Bar Association concerned.

13. Accordingly, as suggested by the respondents themselves and as modified hereinabove, the committee must be constituted and such committee should, after considering the interests and problems of all stakeholders, reach some suitable decision as expeditiously as possible.

14. This appeal is disposed of in the above terms and to that extent, the learned Single Judge's order shall stand modified.

(M. S. Sonak, C.J.)

(Rajesh Shankar, J.)

September 21, 2026

N.A.F.R.

Sharda/Aditi/Cp.2

Uploaded on 24.09.2026