2026:JHHC:29649

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (C) No. 7747 of 2026

Dashrath Sao @ Dashrath Kumar, son of Late Karu Sao, resident of Village-Teli Tola, Sahu Muhallah, Bagodar, P.O. & P.S.- Bagodar, District- Giridih … … Petitioner

Versus

1. The State of Jharkhand through its Chief Secretary, Government of Jharkhand, Ranchi
2. The Deputy Commissioner Giridih
3. The Deputy Development Commissioner, Giridih-cum-Chief Executive Officer, Zila Parishad, Giridih, P.O., P.S. & District - Giridih
4. The Block Development Officer, Bagodar, District- Giridih
5. Kunjlal Sao, son of Late Mandu Sao, resident of Village Teli Tola, Sahu Muhallah, Bagodar, P.O., P.S. & District- Giridih

…. … Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Vikash Kumar, Advocate
For the Resp. Nos. 1 to 4 : Mrs. Moushmi Chatterjee, A.C. to G.A.-V

Order No. 02 **Dated: 05.10.2026**

1. Learned counsel for the petitioner prays for and is allowed to correct the description of the respondent no. 3 as "The Deputy Development Commissioner, Giridih-cum-Chief Executive Officer, Zila Parishad, Giridih, P.O., P.S. & District – Giridih" as well as to delete the respondent no.5 from array of the parties by rearranging the seriatim of the respondents in the cause title of the writ petition in course of the day.

2. The present writ petition has been filed for issuance of direction upon the concerned respondent i.e., the respondent no. 3, to allot a shop to the petitioner situated at Bagodar Bus Stand and to execute an agreement for allotment of the same which is lying vacant due to the dispute raised by the respondent no. 5.

3. Learned counsel for the petitioner submits that dealing an encroachment removal drive in the year 2011, about 80 shops were demolished at Bagodar Saria Road. Due to the said

demolition, the petitioner along with the respondent no. 5 being affected persons were offered a shop constructed at Old Building, Bagodar Bus Stand by way of rehabilitation. The respondent no. 3, vide letter no. 370 dated 19.07.2021, informed the petitioner and the respondent no. 5 that earlier vide letter no. 326 dated 29.06.2021, they were directed to execute a joint agreement for allotment of the shop in question, however they did not submit the required documents for the said purpose. Hence, they were reminded to submit a joint agreement bearing their signatures till 24.07.2021, failing which any agreement submitted by them after the said date for allotment of the shop in question would not be considered and the shop would be put to open auction.

4. It is further submitted that though the petitioner was ready to submit the documents with respect to execution of the agreement pertaining to allotment of the shop in question with Zila Parishad, Giridih, however since the respondent no. 5 did not cooperate him, he could not take steps within the stipulated time. The petitioner subsequently informed the said difficulty to the respondent no. 3 vide representation dated 09.12.2025 stating inter alia to at least make allotment of half portion of the shop in question in his favour.

5. Learned counsel for the petitioner, on instruction, submits that the said shop has not yet been allotted to any other person. Since, no action has yet been taken by Zila Parishad, Giridih on the petitioner's representation, he has been compelled to prefer the present writ petition.

6. Mrs. Moushmi Chatterjee, learned A.C. to G.A.-V appearing on behalf of the respondent nos. 1 to 4, submits that the aforesaid claim of the petitioner is required to be factually examined by the competent authority i.e., the respondent no. 3, and hence, if the petitioner prefers a fresh representation on the present issue before the said respondent, an appropriate decision will be taken in accordance with law.

7. Having heard learned counsel for the parties and considering the issue raised in the present writ petition, without entering into the merit of the case, the petitioner is given liberty to prefer a fresh representation on the present issue before the respondent no. 3. On receipt of the said representation, the respondent no. 3, after providing an opportunity of hearing to the petitioner as well as the respondent no. 5, if so required, shall take an appropriate informed decision in this regard within eight weeks from the date of filing of the said representation.

8. The writ petition is disposed of with the aforesaid liberty and direction.

(Rajesh Shankar, J.)

October 05, 2026
Ritesh/
Uploaded on 06.10.2026