IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 7469 of 2026

Sukar Mahto ….. Petitioner

Versus

1. The State of Jharkhand
2. The Commissioner, Santhal Pargana Division, Dumka
3. The Charge Officer-II, Attestation Camp, Sarwan, Deoghar
4. Shambhu Mahto
5. Nuna Mahto ….. Respondents

CORAM

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner: Mr. Lalit Yadav, Advocate

For the State: Mr. Baibhav Gahlaut, A.C to Sr. A.A.G

04/23.09.2026 The present writ petition has been filed for quashing the order dated 24.03.2022 (Annexure-4 to the writ petition) passed by the respondent No.2 in Rev. Misc. Appeal No. 400/1995-96 dismissing the petitioner's appeal and affirming the order dated 26.08.1995 passed by the respondent No.3 in T.L. Case No. 19/1995. The petitioner has also challenged the order dated 26.08.1995 (Annexure-2 to the writ petition) passed by the respondent No.3 in T.L. Case No. 19/1995.

2. Heard learned counsel for the parties and pursued the relevant materials available on record.

3. It appears that as per the last settlement, the land of Jamabandi No. 09 of Mouza-Dhawatarn was recorded in the name of Mato Mahatwine, daughter of Kanhai Mahto and the land appertaining to Jamabandi No. 02 of Mouza-Rampur was recorded in the names of Jagia Mahatwine (wife of Kanhai Mahto) and two sons of Mato Mahatwine, namely, Banshi Mahto and Nunulal Mahto.

4. It further transpires from the record that Banshi Mahto died issueless and the respondent No.4, son of Nunulal Mahto is the only heir as per the last settlement. Though the petitioner has claimed his right over the land in question, yet the same is merely based on 'Sada Kurfanama' claimed to have

been executed in favour of Mantaria Mahatwine by Mato Mahatwine and her son-Nunulal Mahto, which was neither exhibited before the respondent No.3 nor before the respondent No.2.

5. This Court is of the view that non-exhibiting the said 'Sada Kurfanama' before the original as well as the appellate authorities is fatal to the petitioner's claim. Moreover, there is nothing on record to suggest that the petitioner had ever made any application during the original as well as the appeal proceedings seeking permission to exhibit the said document.

6. Under the said circumstances, this Court while exercising its extra ordinary writ jurisdicton, cannot entertain the petitioner's claim over the land in question. The original as well as the appellate authorities have also rightly dismissed the petitioner's case. Thus, there is no reason to interfere with the aforesaid impugned orders.

7. The present writ petition is accordingly dismissed.

Satish/- (RAJESH SHANKAR, J)