IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 6865 of 2026

Manoj Kumar alias Manoj Singh Kushwaha, S/o Ramjanam Singh, Resident of: Gauri Shankar Nagar, House No 124, P. O. Doranda, P. S. - Argora, District - Ranchi, Jharkhand

……Petitioner

Versus

1. The State of Jharkhand, through The Chief Secretary, Government of Jharkhand, Project Building, P. O. & P. S. Dhurwa, District - Ranchi, Jharkhand.
2. The Deputy Commissioner (DC) cum District Magistrate (DM), Ranchi, Collectorate Building, Block A, Kutchery Road, P. O. - Ranchi GPO, P. S.- Kotwali, District - Ranchi, Jharkhand.
3. The Municipal Commissioner, Ranchi Municipal Corporation (RMC), Kutchery Road, P. O. Ranchi GPO, P. S. Kotwali, District - Ranchi, Jharkhand.
4. The Senior Superintendent of Police (SSP) - Ranchi, Collectorate Building, Block B, 3rd Floor, Kutchery Road, P. O. Ranchi GPO, P. S. Kotwali, District - Ranchi, Jharkhand.
5. The Sub Divisional Officer (SDO) cum Sub Divisional Magistrate (SDM), Sadar, Ranchi, Collectorate Building, Block B, 2nd Floor, Kutchery Road, P. O. - Ranchi GPO, P. S. - Kotwali, District Ranchi, Jharkhand.
6. The Circle Officer (CO) - Argora, Saket Nagar, Hinoo, P.O. & P. S. - Doranda, District - Ranchi, Jharkhand.
7. The Officer Incharge, Argora Police Station, Harmu Road, P. O. - Harmu Housing Colony SO, P. S. Argora, District Ranchi, Jharkhand.
8. Arun Prasad Singh, Son of not known to the petitioner, resident of Gauri Shankar Nagar, House No 193, P. O. - Doranda, P. S. - Argora, District - Ranchi, Jharkhand.
9. Sudhir Prasad Singh, Son of not known to the petitioner, resident of Gauri Shankar Nagar, Lalita Niwash, House No - 252 - N, P. O. - Doranda, P. S. - Argora, District - Ranchi, Jharkhand.
10. Kamal Khan, Son of not known to the petitioner, resident of Jamia Nagar, Kadru, in front of Kadru Petrol Pump, P. O. - Doranda, P. S. - Argora, District - Ranchi, Jharkhand.
11. Ram Gopal Lal, Son of Late Asharfi Lal, resident of C D/ 347/2, H. E. C. Colony, Dhurwa, PO & PS- Dhurwa, District- Ranchi, Jharkhand.

....Respondents

CORAM: SRI ANANDA SEN, J.

For the Petitioner(s) : Ms. Rakhi Rani, Advocate
For the State : Mr. Manish Mishra, GP-V
For the Respondent(s) : Ms. Dr. Vandana Singh, Advocate
Ms. Aliza, Advocate

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02/02.09.2026: By filing this writ petition, petitioner has sought for the following reliefs :-

> *"i. That by way of the instant writ application, the petitioner prays for issuance of an appropriate writ(s) /order(s) /direction(s) commanding upon the respondents to halt the illegal construction on the disputed land bearing Plot No. 621 (Khata No. 107) in Gauri Shankar Nagar, Doranda, Ranchi, and demolish the illegal construction on the same during pendency of lis between the parties with respect to the said land before the concerned respondent authorities, as this illegal construction poses a risk of death by suffocation to more than two dozen people including the petitioner, who have been residing in the building of petitioner, since 1993-1994, amounting to violation of their fundamental right enshrined under Article 21 of the Constitution of India.*
> *ii. for issuance of an appropriate writ(s) / order(s) / direction(s) / commanding upon the concerned respondents to expedite the proceedings pending before them with respect to the said disputed land or in alternate to order to maintain status quo until a decision regarding its ownership is taken by the competent court of law.*
> *iii. During pendency of this writ petition parties may be directed to maintain status quo, with respect to the disputed land bearing Plot No. 621 (Khata No. 107), situated in Gauri Shankar Nagar, Doranda, Ranchi."*

2. The petitioner claims to be the son of Lalpari Devi and nephew of Asha Devi, stated to be owners of Plot No. 621/2, Khata No. 107, measuring 2 Katthas at Gauri Shankar Nagar, Doranda, Ranchi, where he has been residing since 1993-94. A portion measuring 4 foot × 45 foot was allegedly kept vacant for ventilation, sunlight and maintenance. In 2019-20, respondent no.11 claimed ownership over the disputed land, leading to proceedings before the Circle Officer, Argora and the Ranchi Municipal Corporation. The Circle Officer, by order dated 11.02.2020 in Misc. Case No.04/2019-20, observed that the dispute involve title and relegated the parties to the competent court. The petitioner alleges that respondents nos.8 to 10 thereafter commenced construction over the disputed portion. On his application before the SDM, Sadar, Ranchi, an order of status quo was passed on 23.04.2026, which, according to the petitioner, was subsequently vacated vide Memo No.4390 dated 30.07.2026. Alleging resumption of construction and inaction of the authorities

despite repeated representations, the petitioner has approached this Court seeking appropriate reliefs.

3. Learned counsel for the petitioner submits that the petitioner and other occupants have been residing in the building since 1993-94 and that the disputed 4-feet-wide passage was left open for ventilation, sunlight and maintenance. In this regard, the SDM, Sadar, Ranchi passed an order of *status quo* on 23.04.2026, which subsequently was vacated. It is submitted that on the application of the petitioner a U.C. Case No.03/2020 registered before the Ranchi Municipal Corporation, which is pending. Despite the matter is pending, the private respondents have commenced illegal construction over the disputed land. The petitioner contends that such construction would obstruct ventilation and endanger the occupants, thereby affecting their right to life under Article 21 of the Constitution. Despite repeated representations, the State authorities have failed to take effective action. The petitioner therefore seeks stoppage of construction and maintenance of status quo till adjudication of the title dispute.

4. Learned counsel for the respondents submits that the dispute essentially concerns ownership and possession of the disputed land, which cannot be adjudicated in a writ proceeding and is already pending before the competent authorities/court. It is submitted that the status quo order passed by the learned SDM was subsequently vacated and, therefore, the petitioner cannot seek its continuation through the present writ petition. The allegations of illegal construction and threat are disputed and, in any event, the petitioner has adequate remedies in U.C. Case No.03/2020 which is pending before the Ranchi Municipal Corporation. It is thus submitted that no interference under Article 226 of the Constitution is warranted and the writ petition is liable to be dismissed.

5. After hearing learned counsel for the parties and perused the materials on record. I find that the petitioner has approached this Court primarily alleging construction over a disputed portion of

land. The record indicates that the dispute essentially involves questions relating to right, title, interest and possession over a portion measuring 4 foot × 45 foot was allegedly kept vacant, which could be decided before the competent Civil Court. I am of the view that dispute with regard to right, title, interest and possession cannot be adjudicated in writ jurisdiction under Article 226 of the Constitution. It is also admitted fact that the proceedings in U.C. Case No.03/2020 before the Ranchi Municipal Corporation are pending, where the petitioner can raise his grievance, as factual aspect needs to be ascertained in this case.

6. Thus, no relief can be granted to the petitioner in this writ petition. Liberty is also reserved to the petitioner to approach the Civil Court of competent jurisdiction for deciding his right, title, interest and possession over a portion measuring 4 foot × 45 foot in accordance with law, and/ or to approach the Municipal Corporation in U.C. Case No.03/2020.

7. This writ petition is **dismissed** with the aforesaid observation.

(ANANDA SEN, J.)

02nd September, 2026
R.S./
Uploaded on 07/09/2026