IN THE HIGH COURT OF JHARKHAND, RANCHI

C.M.P. No. 1190 of 2026

Amrit Ram, aged about 70 years, son of Jayanth Ram, resident of Sirsi Banha, P.O. and P.S. Katkamsandi, District Hazaribag (Jharkhand) …… Judgment Debtor/ Petition

-- Versus --

1.Debasis Bandhopadhaya, son of late Suryakant Bandhopadhaya, resident of 98/3, Shilpur Road, Howrah, P.O. and P.S. Howrah, District Kolkata (West Bengal)

2.Sudeshna Paul wife of Deb Kumar Paul, daughter of late Apurna Banerjee, resident of 73B/1, Sarad Chatterjee Road, Howrah, PO and PS Howrah, District Kolkata (West Bengal) through their constituted Attorney Asit Baran Banerjee son of late Hirode Baran Banerjee, resident of No.2, Sadar Hospital Road, PO, PS and District Hazaribagh (Jharkhand

….. Decree Holders/ Opposite Parties

3.State of Jharkhand through Deputy Commissioner, Hazaribag, PO and PS Hazaribag, District Hazaribag

4.Additional Collector, Hazaribag, PO and PS Hazaribag, District Hazaribagh

5.Sub Divisional Officer, Hazaribag, PO and PS Hazaribag, District Hazaribag

6.Land Reforms Deputy Collector, Hazaribag, PO and PS Hazaribag, District Hazaribag

7.Circle Officer, Katkamsandi, PO and PS Katkamsandi, District Hazaribagh

8.Bimal Ram son of late Dhaneshwar Ram

9.Ratan Ram Son of late Daneshwar Ram

10.Mukesh Ram son of late Dhaneshwar Ram

Nos.8 to 10 residents of Village Sirsi, PO and PS

Katkamsandi, District Hazaribagh (Jharkhand)

11.Smt. Dhaneshwar Devi, daughter of late Jainath Ram and widow of late Babulal Ram, resident of Village Bhabhnbai, PO Hazaribag, PS Muffasil, District Hazaribag (Jharkhand)

12.Amrit Ram

13.Madhu Ram

14.Sohar Ram

15.Sudin Ram

16.Parmeshwar Ram

Nos.12 to 16 sons of late Kala Ram and Gouri Devi, residents of Village Guruwa, PO Hazaribag, PS Muffasil, District Hazaribagh (Jharkhand)

…. Judgement Debtors/ Proforma Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner(s) :- Mr. K.K. Ambastha, Advocate
Mr. Anupam K. Prasad, Advocate

For the State :- Mr. Aman Shekhar, AC to GA-I

5/19.11.2026 This petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 29.06.2026 passed by learned Civil Judge, Junior Division, Hazaribag in Execution Case No.02 of 2023.

2. Mr. Ambastha, the learned counsel appearing on behalf of the petitioner submits that the petitioner was defendant in the Title Suit No.160 of 2000 which was dismissed by the judgment dated 03.08.2018 and thereafter Title Appeal No.64 of 2019 was preferred which was allowed by the judgment dated 29.09.2022 and thereafter the Execution Case No.2 of 2023 was filed for execution of the decree by the plaintiff and in that execution case a petition

under Section 47 of the CPC has been filed by the petitioner/ defendant which was rejected by the order dated 29.06.2026. He next submits that the learned court has not appreciated the facts and has rejected the said petition and as such, the impugned order may kindly be set aside.

3. Learned counsel for the respondent State submits that the learned court has rightly passed the order.

4. On perusal of the impugned order, it transpires that the learned court has passed a reasoned order and it has dealt with all the aspect of the matter. A petition with regard to the objection has already been filed by the petitioner earlier which has been decided by the learned court and has disposed of and thereafter the second petition has been filed under section XLVII CPC and the learned court has found that the petitioner has tried to re-open the entire thing.

5. If such a situation is there, the learned court has rightly rejected the petition and the petitioner has already raised all the issues earlier which has been disposed of by the learned court and thereafter again under section XLVII CPC a petition has been filed, and there is no illegality in the impugned order, and as such, this petition being C.M.P. No. 1190 of 2026 is, hereby, dismissed.

(Sanjay Kumar Dwivedi, J.)

Dated : 19.11.2026
SI/