IN THE HIGH COURT OF JHARKHAND, RANCHI

C.M.P. No. 1147 of 2026

1.Eahab Sk., aged about 63 years, son of late Johardi Sk.

2.Tajaruddin Shekh @ Tajiruddin Sk., aged about 55 years son of late Johardi Sk.

3.Taimur Sk., aged about 52 years, son of late Keyamuddin Sk.

4.Ahad Sk., aged about 37 years, son of late Samsuddin Sk., All residents of Udhuwa, Babutola, PO Udhuwa, PS Radha Nagar, District Sahibganj, Jharkhand

5.Tanjila Begam, aged about 45 years, wife of Kum Sk., resident of Udhuwa, Babutola, PO Udhuwa, PS Radha Nagar, District Sahibganj, Jharkhand

6.Rahima Bibi, aged about 36 years, wife of Barkat Sk., resident of Village Jalalpur, PO Jalalpur, PS Manikchak, District-Malda (West Bengal)

7.Angura Bibi, aged about 51 years, wife of Mithun Sk., resident of Village Mansingha, PO Narayanpur, PS Raj Mahal, District Sahibganj ..... *Defendants/ Appellants/ Petitioners*

-- *Versus* --

1.The State of Jharkhand

2.District Land Acquisition Officer, Sahibganj, PO and PS Sahibganj, District Sahibganj

3.Firoj Alam, son of late Jalal Sk.

4.Kamal Sk., son of late Jalal Sk.

5.Sahin Anwar, won of late Jalal Sk.

6.Prawej Alam, son of late Jalal Sk., All residents of Village Babutola, Udhwa, PS Radha Nagar, District Sahibganj, Jharkhand

7.Jinat Aman, daughter of late Jalal Sk., wife of Md. Mokammil,

resident of Jangipur, PS Raghunathganj, District Mursihdabaad, West Bengal

8.Nilofar Yasmin, daughter of late Jalal Sk., wife of Md. Amir Hossain, resident of Village -Sobapur, PS Karel, District Malda, West Bengal

9.Afsana Parween, daughter of late Jalal Sk, wife of Md. Yunus, resident of Village Babutola, Udhwa, PO Udhwa, PS Radha Nager, District Sahibganj, Jharkhand

10.Mubarak Sk., son of late Keyamuddin Sk.

11.Mohi Sk., son of Mehardi Sk.

12.Khurshed Sk. son of Harun Sk.

13.Sabrul Sk., son of Harun Sk.

All Sr. Nos.8 to 11, resident of Village- Udhwa, Babutola, PO Udhwa, PS Radha Nagar, District Sahibganj

14.Asma Bibi, wife of late Jalal Sk., resident of Balugram, Palasgachhi, PS Radha Nagar, PO Palasgachhi, District Sahibganj

15.Siktara Bibi, daughter of late Keyamuddin Sk.

16.Sitara Bibi, wife of Ibrahim Sk., Both Sr. Nos.13 and 14, resident of Village -Babutola, Udhwa, PO Udhwa, PS Radha Nagar, District-Sahibganj, Jharkhand

……. Plaintiffs/ Respondents/ Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

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

For the OP/State :- Mr. Deepika Jajowar, AC to SC-VI

4/29.10.2026 This petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 10.06.2026 passed by learned Civil Judge, Senior Division-I, Raj Mahal,

Sahibganj, in Civil Miscellaneous Case No.09 of 2019 (arising out of Title Execution Case No.17 of 2017) arising out of Title Suit No.79 of 2007 whereby the petition filed by the petitioners under Order XXI Rule 26 of the Code of Civil Procedure has been dismissed.

2. Mr. Ambastha, the learned counsel appearing on behalf of the petitioners submits that Title Suit No.79 of 2007 was decreed by the judgment dated 11.08.2017 and he submits that the defendant nos.9, 12 and 17 have been died prior to that. He next submits that in execution case, the petitioners have filed a petition for stay, however, the learned court has been pleased to reject the same. He also submits that the petitioners-herein have preferred First Appeal before the learned Principal District and Sessions Judge, Sahibganj which was dismissed for default and the revocation case has already been filed which is pending.

3. In view of above, any proper relief can be sought by the petitioners in the appeal as the revocation is already pending. As such, this petition being C.M.P. No.1147 of 2026 is, hereby, dismissed with liberty to the petitioners to seek relief in the appeal.

(Sanjay Kumar Dwivedi, J.)

Dated : 29.10.2026
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