**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**W.P.(C) No.7552 of 2026**

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Abhishek Narsaria, son of Pradeep Kumar Narsaria, resident of Shri Rani Sati Market, Lalji Hirji Road, Near Telephone Exchange, Upper Bazar, P.O. G.P.O., P.S. Kotwali, District Ranchi, State-Jharkhand. ..... Petitioner.

-Versus-

1. Ranchi Municipal Corporation, through the Administrator, having its office at Ranchi Municipal Corporation (RMC) Building, Kutchery Road, Ranchi.
2. The Assistant Town Planner, Ranchi Municipal Corporation, having its office at Ranchi Municipal Corporation (RMC) Building, Kutchery Road, Ranchi.
3. The Deputy Municipal Commissioner, Ranchi Municipal Corporation, having its office at Ranchi Municipal Corporation (RMC) Building, Kutchery Road, Ranchi.

..... Respondents.

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**CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR**

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For the Petitioner : Mr. Devesh Ajmani, Advocate
For the Respondents: Dr. (Mrs.) Vandana Singh, Advocate

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**Order No.02** **Date: 24.09.2026**

1. The present writ petition has been filed for quashing the letter no.715 dated 1st July, 2026 (Annexure-1) issued under the signature of the respondent no.2, whereby a notice has been issued to the petitioner's tenant-"Physics Wallah" running a coaching institute in Pranami Heights, Circular Road, Lalpur, Ranchi to rectify the deficiencies mentioned in the aforesaid letter within seven days, failing which the said coaching institute would be sealed in accordance with the provisions of Jharkhand Municipal Act, 2011 (in short 'the Act, 2011') and Jharkhand Building Bye-laws, 2016 (in short 'the Bye-laws, 2016').

2. Learned counsel for the petitioner submits that since the petitioner is owner of the said premise, he has the reasons to

believe that the said coaching institute is being run completely in accordance with law and there is neither any violation of the provisions of the Act, 2011 nor of the Bye-laws, 2016. It is further submitted that the deficiencies shown in the impugned notice dated 1st July, 2026 are nothing but to harass the said coaching institute, which also adversely affects the interest of the petitioner. The said notice was followed by another notice dated 6th July, 2026.

3. It is also submitted that the petitioner, in pursuance of the notices dated 1st and 6th July, 2026, submitted his responses on 8th and 9th July, 2026, the copies of which have been annexed as part of Annexure-3 series to the present writ petition. Despite responding to the said notices, no order was passed by the municipal authorities, rather on 3rd September, 2026 the said premise was sealed by them. Under the said compelling circumstance, the petitioner has preferred the present writ petition.

4. Mrs. Vandana Singh, learned counsel for the respondents submits that since the responses of the petitioner dated 8th and 9th July, 2026 were evasive and not meeting the deficiencies as mentioned in the impugned notice dated 1st July, 2026, the premise in question was sealed by the municipal authorities. She further submits that it was specifically mentioned in the impugned notice that if the deficiencies were not rectified by the concerned coaching institute, the premise would be sealed under the provisions of the Act, 2011 and Bye-laws, 2016.

5. Heard learned counsel for the parties and perused the materials available on record.

6. On perusal of the impugned notice dated 1st July, 2026, it appears that five deficiencies were shown in the same, which the occupier of the premise i.e. the Coaching Institute was to rectify and to inform the respondent no.2 about the same. The petitioner being the owner of the said premises seems to have given two letters on 8th and 9th July, 2026 responding to the notices dated 1st and 6th July, 2026. It has been pleaded by the petitioner that though he had submitted his reply, responding to the said notices, the municipal authorities without taking appropriate decision, sealed the premise on 3rd September, 2026.

7. The record suggests that two notices were issued by the municipal authorities to the occupant of the premise alleging that the said premise was being used for commercial purpose in violation of safety/other mandatory provisions of the Act, 2011 and Bye-laws, 2016, calling upon it to rectify the deficiencies mentioned therein. These two notices were responded by the petitioner being the owner of the premise. Therefore, the competent municipal authority was required to pass appropriate order after considering the response so given by the petitioner.

8. The doctrine of administrative fairness requires any public authority to act reasonably and impartially. If the public authority issues a show cause notice to a person calling upon him to do certain act and that person responds to the said notice, it is imperative for that authority to pass appropriate order supported

with reasons as why the said reply is not acceptable. Even otherwise, if any order is passed against the concerned person detrimental to his cause, he will have the further remedy as provided under law to take recourse against the same. In absence of any order specifying the reasons, the affected person will be remediless.

9. However, in the present case, the municipal authority instead of passing any order, straightway sealed the premise on 3rd September, 2026. The said procedure adopted by the municipal authority, in view of this Court, is highly improper.

10. Mrs. Vandana Singh, learned counsel for the respondents submits that the respondent no.1 is the competent authority to pass an appropriate order in this regard.

11. Considering the aforesaid facts and circumstances, the petitioner is given one more opportunity to file a detailed response before the respondent no.1 within two weeks. On receipt of the said response, the respondent no.1 after providing an opportunity of hearing to the petitioner/his representative and on making an enquiry with respect to the premise in question, shall take an appropriate informed decision in accordance with law within three weeks thereafter.

12. The writ petition is disposed of with the aforesaid liberty and directions.

**(Rajesh Shankar, J.)**

***24th September, 2026***
***Sanjay/***
***Uploaded on 28.09.2026***