**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

W.P.(C) No. 8884 of 2026

Robert Pradeep Khalkho ….. Petitioner

Versus

1. The State of Jharkhand, through the Secretary, Revenue, Registration and Land Reforms Department, Ranchi
2. The Deputy Commissioner, Ranchi
3. The Additional Collector, Ranchi
4. The Deputy Collector, Land Reforms, Ranchi
5. The Circle Officer, Argora, Ranchi ….. Respondents

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**CORAM**

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

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For the Petitioner: Mr. Soumitra Baroi, Advocate

For the Respondents: Mr. Vineet Prakash, A.C to S.C-IV

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02/05.11.2026 The present writ petition has been filed for quashing the entire proceeding of J.P.L.E. Case No. 01/2026-27 including the notice No. 26 dated 29.07.2026 issued by the respondent No.5 whereby the petitioner has been called upon to show cause as to why the said encroachment made over the land appertaining to Khata No. 191, Plot No. 915, Mouza-Kadru, Thana No. 208, P.S-Doranda, District-Ranchi, measuring an area of approx 3.50 Decimals be not removed.

2. Learned counsel for the petitioner submits that the petitioner's father-Late Christ Emanuel Khalkho, an ex-serviceman, came in possession of the land in question in the year 1971. The said land is adjacent to the petitioner's ancestral land at Plot No. 905/906. The petitioner's father also planted several trees and cultivated over the same. Subsequently, he also made a residential structure over the land. It is further submitted that the petitioner/his father has been in possession over the said land for several decades. The petitioner's father during his life time had also filed an application on 09.07.2000 (Annexure-2 to the writ petition) before the Minster of Revenue, Land Reforms, Government off Jharkhand requesting

inter alia to settle the said land in his name, however, despite assurances, no decision was taken on the same. The petitioner has already filed his reply to the notice dated 29.07.2026 before the respondent No.5. The petitioner has threat of dispossession from the said land. Under the said compelling circumstance, he has preferred the present writ petition.

3. Mr. Vineet Prakash, learned A.C to S.C-IV appearing on behalf of the respondents, submits that the present writ petition has been filed challenging the notice dated 29.07.2026 issued under Section 3 of the Jharkhand Public Land Encroachment Act, 1956 [hereinafter referred to as 'the Act, 1956'] as the petitioner has been found encroaching the public land. The final order under Section 6(1) of the Act, 1956 has not yet been passed and as such the present writ petition itself is premature.

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

5. The petitioner has challenged the land encroachment proceeding initiated against him for the land in question and has also assailed the notice under Section 3 of the Act, 1956 issued to him. He has already submitted reply to the said notice justifying his possession over the said land. Pursuant to filing of the said reply, no order under Section 6(1) of the Act, 1956 appears to have been passed.

6. Under the said circumstance, the respondent No.5 is directed to consider the petitioner's reply and to pass appropriate order under Section 6(1) of the Act, 1956 after providing due opportunity of hearing to the petitioner/his representative preferably within three months from the date of this order.

7. Till the said order is passed by the respondent No.5, the structure standing over the land in question shall not be removed.

8. The present writ petition is accordingly disposed of with the aforesaid observation and direction.

9. Pending interlocutory application also stands disposed of.

Satish/- (RAJESH SHANKAR, J)