IN THE HIGH COURT OF JHARKHAND AT RANCHI

C.M.P No. 631 of 2026

Hazaribag Paryavaran Sanrakshan Trust A Hazaribag based registered non-profit organization, Registered under Indian Trust Act, 1882 Having Registered office at Okani Tank, 4th lane, P.O. Sadar PS. Lohsighna, Dist. Hazaribag, working for community welfare, preservation of environment and biodiversity, through, its president Jai Gopal Rai, S/o Late Jhaman Rai, Resident of Okani Tank, 4th Lane, P.O Sadar PS Lohsighna, District Hazaribag

... Review Petitioner

Versus

1. The State of Jharkhand
2. Shahnawaz Jamil, s/o Late Md. Suleman, R/O A-2 Gulmohar Streat, Tiwari Tank Lane, Hindpiri, PO Hindpiri, PS Hindpiri, District, Ranchi, Jharkhand
3. The Deputy Commissioner, Hazaribag, PO , PS & District Hazaribag
4. The Deputy Development Commissioner, Hazaribag, PO PS & District Hazaribag
5. The Circle Officer, Sadar, PO & PS Sadar, District Hazaribag
6. Municipal Commissioner, PO & PS Sadar, District Hazaribag

... Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MANOJ PRASAD

For the Petitioner :Ms Neha Agrawal, Advocate
Mr Suvendu Jaipuriar, Advocate
Mr Gulam Jilani, Advocate
For the Resp. No.3 : Mr Prabhat Kr. Sinha, Advocate

02/Dated: 02.11.2026

1. Heard Ms Neha Agarwal, learned counsel for the petitioner, and Mr Prabhat Kumar Sinha, learned counsel appears on behalf of respondent no.3.

2. We would have had no difficulty in condoning the delay and restoring the review petition, no doubt, after giving notice to the affected party i.e Shahnawaz Jamil. However, considering the fact

that the judgment and order dated 27.06.2024 passed by the Co-ordinate Bench and of which review is now applied for has held that the general public can approach the Civil Court claiming a right of easement, Ms Neha Agarwal seeks leave to withdraw the application, C.M.P. and a review petition with liberty to resort to the alternate remedies before the Civil Court to establish that the property in question was indeed a public property or a public pond.

3. Leave is granted with liberty as prayed for. However, all contentions of all parties are left explicitly open. The grant of such liberty does not imply that we have ruled on issues of maintainability, locus standi etc. All these contentions are however left open.

4. The I.As. and the C.M.P are disposed of without any order for costs.

(M.S. Sonak, C.J.)

(Manoj Prasad, J.)

November 02, 2026

Pramanik/Anjali

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