

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 3166 of 2022

Mohammad Mojibul Haque

... ... Petitioner

-Versus-

The State of Jharkhand through the Secretary, Department of Revenue,
Registration and Land Reforms, Government of Jharkhand & Ors.

... ... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Lukesh Kumar, Advocate

For the Resp. Nos. 1 to 6 : Mr. Aditya Raman, A.C. to G.A.-III

04/18.10.2022 The present writ petition has been filed for quashing the order dated 16.03.2022 (Annexure-13 to the writ petition) passed by the Commissioner, Santhal Pargana Division, Dumka in Miscellaneous Petition No. 03 of 2022 whereby the petition filed by the respondent no. 7 against a third party i.e. Obaid Alam with respect to the land in question, which actually belongs to the petitioner, has been allowed holding that the respondent no. 7 has established the adverse possession over the land in question and direction has been given to the Settlement Officer, Dumka to issue new survey settlement *parcha* in favour of the respondent no. 7 and also to correct the Khatiyani. Further prayer has been made for issuance of direction upon the respondent authorities not to execute and implement the order dated 16.03.2022 passed by the respondent no. 3 in the aforesaid miscellaneous petition and not to dispossess the petitioner from the land in question.

Learned counsel for the petitioner submits that the respondent no. 2 while passing the impugned order dated 16.03.2022 in Miscellaneous Petition No. 03 of 2022 filed by the respondent no. 7 against a third party i.e. Obaid Alam, has not taken note of the order dated 29.10.2021 passed by the Assistant Settlement Officer, Mahagama, Godda in Objection Case No. 700 of 2021 whereby petitioner's claim over the land in question was accepted with a direction to cancel the entry made in 'Hal Parcha' and to enter the petitioner's name in the same.

Issue notice.

Mr. Aditya Raman, learned A.C. to G.A.-III, appears and waives notice on behalf of the respondent nos. 1 to 6.

Issue notice to the respondent no. 7 under registered cover with A/D for which requisites etc. must be filed by 20.10.2022.

Put up this case after four weeks under appropriate heading.

(Rajesh Shankar, J.)