

(2026) 01 JH CK 1661

In the Jharkhand High Court

Case No : Writ Petition (C) Filing No.13236 Of 2025

Abhay Carriers Private Limited

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 22-01-2026

Acts Referred:

Constitution of India, 1950 — Article 14, 19(1), 300A

Citation : (2026) 01 JH CK 1661

Hon'ble Judges : Rajesh Kumar, J

Bench : Single Bench

Advocate : Ravi Prakash Mishra

Final Decision : Disposed Of

Judgement

Rajesh Kumar, J

1. The present writ petition has been filed for following reliefs:-

"i. For the issuance of appropriate writ/ writ(s)/order/order(s)/direction/direction(s) to respondents authority to immediately remove the illegally constructed boundary wall constructed by the respondent no.5 and 6 closing the main gate of the warehouse, constructed by the petitioner on the 10 decimals of land out of 50 decimal of R.S Plot no. 1546 under khata no.136 at Mauza: Baram, P.S: Tatisilwai, District: Ranchi, leased out by the respondent no.5;

ii. For the issuance of appropriate writ/ writ(s)/order/order(s)/direction/direction(s) in nature of the mandamus commanding upon the authorities of the respondent State to further restrain the private respondent, their agents or any person acting on their behalf from interfering the lawful possession, access or enjoyment of the leased premises.

iii. Further pleaded to issue show cause upon the respondent no.5 and 6 under what authority of law the peaceful and lawful possession of the petitioner has been disturbed by constructing the boundary wall on the main gate of the

warehouse of the petitioner resulting in complete obstruction in inward and outward movement of the vehicle causing adverse effect to the business of the petitioner as same is also against the terms and condition of the registered lease deed executed between petitioner and respondent no.5 for the same property.

iv. To further be pleased to declare the respondent no.5 and 6 action in constructing the boundary wall and blocking access to the leased property is illegal, arbitrary and in violation of the terms of registered leased deed as well as Article 14, 19(1) and 300 A of the Constitution of India.”

2. Although the case suffers from certain defects, it appears that the main grievance of the petitioner is against the private respondents, who are alleged to have obstructed the petitioner’s right to way. The dispute is essentially civil in nature and can be adjudicated only in appropriate proceedings before the competent Civil Court or in accordance with the provisions of the Code of Criminal Procedure. The police cannot directly interfere in a civil dispute between the parties.

3. In view of the aforesaid facts and circumstances, I do not find any reason to entertain the present writ petition. Accordingly, the writ petition is disposed of giving liberty to the petitioner to work out his remedy in accordance with law.

4. Pending I.A., if any, also stands disposed of.