

(2025) 06 JH CK 0877
In the Jharkhand High Court
Case No : W.P. (C) No. 1139 Of 2025

Jitendra Pandit son of Ram Chandra Pandit	APPELLANT
Vs	
State Of Jharkhand represented through Deputy Commissioner	RESPONDENT

Date of Decision : 10-06-2025

Acts Referred:

Constitution of India, 1950 — Article 226
Santal Parganas Tenancy (Supplementary Provisions) Act, 1949 — Section 42

Citation : (2025) 06 JH CK 0877

Hon'ble Judges : Gautam Kumar Choudhary, J

Bench : Single Bench

Advocate : Prerna Jhunjunwala, Zaid Imam

Final Decision : Disposed Of

Judgement

Gautam Kumar Choudhary, J

1. Instant writ petition has been filed under Article 226 of the Constitution of India for evicting the private respondents and handing over the possession of the part of the premises situated at Mouza Nawdiha, No.47, Jamabandi No.91, Dag No.1095, measuring total area of 1 Bigha, 2 Katha, 8 Dhur to the petitioners pursuant to the order dated 01.08.2022 passed by the Sub Divisional Officer, Godda in R.E.R. Case No.57 of 2020-21.

2. It is submitted by learned counsel on behalf of petitioner that an ejectment proceeding was initiated by them under Section 42 of the SPT Act, 1949 in which Sub Divisional Officer passed order of ejectment in R.E.R. Case No.57 of 2020-21 (Annexure- 3) in Logia Devi & Others Vs. Prabhash Mandal & Others, directing the ejectment from the scheduled land detailed therein on 01.08.2022. A specific direction was given to the Circle Officer vide order dated 30.12.2023 for ensuring the execution of the order which had attained finality, as no appeal was preferred against the said order. Despite the order by competent authority, it has not been executed. A representation was also filed in this regard by the petitioner-

Jitendra Pandit on 06.12.2024 before Respondent No.2.

3. Having considered the submissions advanced on behalf of the petitioners, Circle Officer, Poreyahat is directed to execute the order passed in R.E.R. Case No.57 of 2020-21 within six of the order, if the said order has attained finality.

Writ Petition is disposed of. Interlocutory Application, if any, is disposed of.