

(2025) 05 JH CK 1172
In the Jharkhand High Court
Case No : W. P. (C) No. 4256 Of 2023

Madan Mohan Roy, S/o Late Kashi Nath Roy	APPELLANT
Vs	
State Of Jharkhand through the Secretary	RESPONDENT

Date of Decision : 06-05-2025

Acts Referred:

Citation : (2025) 05 JH CK 1172

Hon'ble Judges : Gautam Kumar Choudhary, J

Bench : Single Bench

Advocate : Sudhanshu Shekhar Choudhary, Ashish Kr. Thakur, K. Goenka, Uttam Kr. Das

Final Decision : Disposed Of

Judgement

Gautam Kumar Choudhary, J

Heard, learned counsel for the parties.

1. The Writ Petitioner has moved this Court for quashing the order dated 30.01.1990 passed by the Deputy Commissioner, Sahibganj, in Rev. Misc. Appeal No.116/ 1984-85.

2. It is submitted by learned counsel for the petitioner that the petitioner had preferred earlier revision against the impugned order being Misc. Revision No.13 /1990-91 before the Court of Commissioner, Santhal Pargana Division, Dumka which is pending for more than two decades and no order has yet been passed and in the meantime, the settlement of the piece and parcel of the land has been made in favour of the 3rd party.

3. As per the case of the petitioner, the land measuring an area of six bighas, fifteen Kathas and fourteen dhur was settled under Plot No.1315, Village- Kelabari District- Sahibganj, in Settlement Case No.100 of 1972-73 in favour of mother of the petitioner, namely, Most. Fulo Rani Devi.

4. It is contended by the learned counsel for the petitioner that subsequently, the

said land was settled in favour of Mahila Maha Vidyalaya, Sahibganj in terms of the order dated 22.01.1985 passed in Settlement Case No.39 of 1984-85 without terminating the earlier settlement made in her favour.

5. Petitioner preferred Rev. Misc. Appeal No.116/ 1984-85 which was dismissed and subsequently the aforesaid Revision has been preferred before the Court of Commissioner, Santhal Pargana Division, Dumka, but the same has also not been decided till date.

6. This Court is of the view that the petitioner does have statutory right of appeal and revision. As such, Commissioner, Santhal Pargana Division, Dumka is directed to dispose of Misc. Revision No.13 /1990-91 within eight weeks from today.

Accordingly, the aforesaid Writ Petition stands disposed of.

7. Let a copy of this order be communicated to the Commissioner, Santhal Pargana Division, Dumka for necessary compliance at once.