
(2024) 05 JH CK 0036
In the Jharkhand High Court
Case No : Writ Petition (C) No. 265 Of 2024

Om Prakash Gir

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 09-05-2024

Acts Referred:

Citation : (2024) 05 JH CK 0036

Hon'ble Judges : Ananda Sen, J

Bench : Single Bench

Advocate : Rajesh Kumar Tiwari, Faisal Allam

Final Decision : Allowed

Judgement

Ananda Sen, J

1. Learned counsel representing the petitioner after some arguments on merits seeks permission to withdraw this writ petition with the liberty to file a suit for declaration of his right, title and interest and also for cancelling the alleged sale deed which has been executed in favour of Janeshwar Prasad Singh and Binod Singh.

2. Considering his submission, I have gone through the petition filed by the petitioner before the Circle Officer, Khalari, Ranchi. After going through the petition, I find that there is serious dispute in respect of right, title and interest which cannot be decided by the Circle Officer also nor by this Court exercising jurisdiction under Article 226 of the Constitution of India.

3. Thus, I direct the petitioner to approach the Civil Court of appropriate jurisdiction by filing a suit. If the suit is filed, the same will be considered on merits.

4. In view of the aforesaid observation, this writ petition is allowed to be withdrawn with the aforesaid liberty.