

Bimal Kumar Agarwal Vs State Of Jharkhand

Court: Jharkhand High Court

Date of Decision: Jan. 13, 2025

Acts Referred: Bihar (now Jharkhand) Tenant's Holdings (Maintenance of Records) Act, 1973 " Section 15

Hon'ble Judges: Rajesh Shankar, J

Bench: Single Bench

Advocate: S. L. Agarwal, Ayushi, Sushant Kumar

Final Decision: Disposed Of

Judgement

Rajesh Shankar, J

1. The present case has been taken up through hybrid mode.

2. The present writ petition has been filed for quashing memo No.445 dated 12th March, 2024 issued by the respondent no.3 to the petitioner annexing

a copy of order dated 30th January, 2024 passed by the Circle Officer, Bodam-respondent no.4 in Record No.1/2023-24 whereby in pursuance of the

order dated 29th November, 2023 passed by this Court in W.P. (C) No.4839 of 2023, the petitioner's application filed for fixation of rent and

issuance of rent receipt for the land appertaining to Khata No.132, Plot Nos.1195, 1196, 1197 & 1200 has been rejected. Further prayer has been

made for quashing the order dated 30th January, 2024 passed by the respondent no.4 in Record No.1/2023-24.

3. Learned counsel for the state raises a preliminary objection with regard to maintainability of the present writ petition on the ground that the

petitioner has the efficacious/statutory remedy of preferring appeal under Section 15A, of Bihar's, (now Jharkhand's), Tenant's Holdings

(Maintenance of Records) Act, 1973 (hereinafter be referred as "the Act, 1973") before the respondent no.3 against the order dated 30th

January, 2024 passed by the respondent no.4 in Record No.1/2023-24 and hence, the present writ petition may not be entertained.

4. Having heard learned counsel for the parties and considering that the petitioner has efficacious/statutory remedy of preferring appeal against the

order dated 30th January, 2024 passed by the respondent no.4 in Record No.1/2023-24, I am not inclined to entertain the present writ petition at this

stage.

5. The petitioner is, however, at liberty to prefer the statutory appeal before the respondent no.3 against the order dated 30th January, 2024 passed by

the respondent no.4 in Record No.1/2023-24.