

(2011) 03 JH CK 0059

Jharkhand High Court

Case No: Writ Petition (PIL) No. 1076 of 2011

Court on its own motion

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision: March 7, 2011

Hon'ble Judges: Bhagwati Prasad, C.J; Dhirubhai Naranbhai Patel, J

Bench: Division Bench

Judgement

D.N. Patel, J.

Learned Amicus Curiae, in response to the affidavit filed by the R.R.D.A., Ranchi, has brought to the notice of this Court a Supreme Court decision in the matter of [Dr. G.N. Khajuria and others Vs. Delhi Development Authority and others](#), a copy of which has been passed on by the learned Amicus Curiae to the counsel for R.R.D.A. They are mandated to act according to the directives given in the judgment, which take care of delinquency of the Officers as well as Builders. All such actions should be immediately initiated against the erring Officers and erring Builders.

2. For the other four cities viz. Dhanbad, Bokaro, Jamshedpur and Hazaribagh, learned Government Pleader wants time to file their response by Monday (14.3.2011). The response should be filed and actions initiated in all the aforesaid four cities in terms of the judgment of the Hon'ble Supreme Court, a copy of which is given to the learned Government Pleader. All these actions, which have been indicated hereinabove in this order, will be taken against the erring Officials and erring Builders in the four cities for which mention has been made.

3. A further direction is made to all the concerned authorities, who have been referred to hereinabove. The property rights papers of all the buildings, which have come into being, should also be examined by the authorities as to whether those buildings have come in rightful ownership or they are simply encroachers on the State land. If it is State land, then appropriate action has to be taken because no encroachment can be permitted on State land.

4. A state of affairs has been indicated in the today's "Times Of India", where it has been shown that "If you don't have a place to live in, walk into the city of Bokaro and select a piece of land for yourself". It shows as to how conveniently encroachment can be made. The Deputy Commissioner, Bokaro, will look into it, so also the Deputy Commissioners of other cities, where such kind of encroachment are coming.

5. All these orders will be communicated to the local authorities by the Deputy Commissioners. The Deputy Commissioners of four cities namely Dhanbad, Bokaro, Jamshedpur and Hazaribagh will also be in touch with the Deputy Commissioner of Ranchi and the removal of encroachment drive, which is going on in the city of Ranchi, will also be taken up in four cities.

6. It is further indicated to the concerned authorities that water and electric connections of such buildings, which are illegal, should immediately be disconnected/

discontinued.

Put up on Monday (14.3.2011).