

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 5934 of 2007

1. Bindu Mahto
2. Chhotu Mahto
3. Dayal Mahto
4. Raju Mahto
5. Mohan Mahto

All sons of Late Jyoti Mahto, residents of village-Dumra, P.O.-Nawagarh, P.S.- Baghmara, Distt.- Dhanbad (Jharkhand)

... ... **Petitioners**

Versus

1. The State of Jharkhand.
2. The Additional Collector, Dhanbad
3. The Member, Board of Revenue, Jharkhand, Ranchi
4. Bhola Mahto son of Late Budhu Mahto (**Deleted on 14.08.2008**)
 4. a. Dhona Mahto
 4. b. Shankar Mahto both sons of Late Bhola Mahto, resident of village-Dumra, P.O. Nawagarh, P.S. Baghmara, District-Dhanbad.
5. Prasadi Mahto
6. Kisto Mahto son of Late Bishwanath Mahto
7. Kishun Mahto son of Late Benney Mahto (**Deleted on 14.08.2008**)
 7. a. Sunil Mahato, S/o Late Nakul Mahato and grand son of Kishun Mahto
 7. b. Madan Mahato, S/O Late Kishun Mahto
 7. c. Hari Mahato, S/o Late Kishun Mahto (**Abated on 26.11.2024**)
 7. d. Bhaktu Mahato, S/o Late Kishun Mahto(**Abated on 26.11.2024**)
8. Gokul Mahto
9. Jeetan Mahto both son of Late Manik Mahto, 8 & 9 resident of village- Dumra, P.O.- Nawagarh, P.S.- Baghmara, Distt.- Dhanbad (Jharkhand)

... ... **Respondents**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

- | | |
|-----------------------------|--------------------------------------|
| For the Petitioner | : None |
| For the Resp.-State | : Mr. Prashant Kr. Rai, Advocate |
| For the private respondents | : Mr. Shekhar Prasad Sinha, Advocate |

29/20.12.2024

1. Nobody appears on behalf of the petitioner.
2. The learned counsel for the State and respondents are present.
3. This writ petition has been filed for the following reliefs:-

"For issuance of an appropriate writ/writs, order/orders and/or direction/directions for quashing the order dated 23.05.2007

(Annexure-5) passed in Dhanbad Revision Case No. 43/2005 by the Respondent No. 3.

AND

For issuance of an appropriate writ/order/direction for quashing the order dated 29.9.2005 (Annexure-6) passed in L.C. Appeal No. 6/2005 by the Additional Collector, Dhanbad (Respondent No. 2) whereby and whereunder the order dated 19.06.1990 passed in L.C. Case No. 20/1986-87 and in L.C. Case No. 21/1986-87 by the Land Reforms Deputy Collector, Chas has been set aside.

AND

For issuance of further writ/order/direction restraining the Respondents to act in furtherance of the impugned orders dated 23.5.2007 (Annexure-5) and 29.9.2005 (Annexure-6)

AND

For issuance of any other appropriate writ(s)/direction(s)/order(s) as this Hon'ble Court may deem fit and proper for doing conscientable and equitable justice to the petitioners."

4. The learned counsel for the State and the private respondents submits that the petitioner the pre-emptor and as per impugned order partial pre-emption is not permissible. It has also been submitted that the land concerned is not agricultural land and in *Khatiyan* it is recorded as '*Ghar Angan*'.
5. Since the petitioner is absent, this writ petition is dismissed for non-prosecution.

(Anubha Rawat Choudhary, J.)

Rakesh/-