

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 8372 of 2026

1. Bihar State Milk Co-operative Federation Ltd. (Unit-Ranchi Dairy), Ranchi,
through its authorized representative, Tala Marandi, Chief Executive, Ranchi
Dairy, Ranchi
2. Ajay Lakra
- Petitioners

Versus

1. The State of Jharkhand, through the Principal Secretary, Urban Development
& Housing Department, Ranchi
2. The Ranchi Municipal Corporation, through the Municipal Commissioner,
Ranchi Municipal Corporation, Ranchi
3. The Municipal Commissioner, Ranchi Municipal Corporation, Ranchi
4. The Deputy Municipal Commissioner/Officer-in-Charge, Enforcement Wing,
Ranchi Municipal Corporation, Ranchi
5. The Ranchi Regional Development Authority, through its Secretary, Ranchi
- Respondents

CORAM

HON'BLE MR. JUSTICE RAJESH SHANKAR

- For the Petitioners: Mr. Ashish Kr. Shekhar, Advocate
- For the RMC: Dr. Vandana Singh, Advocate
- Mr. Vivek Kr. Sharma, Advocate
- Ms. Aliza, Advocate

02/14.10.2026 The present writ petition has been filed for quashing the notices as contained in memo No. 147/ENF dated 08.09.2026 as well as in memo No. 159/ENF dated 26.09.2026 whereby the petitioner No.2 has been granted three days' time to submit the documents relating to ownership, construction as well as 'No Objection' of the Ranchi Municipal Corporation (RMC) for running the milk booth at the concerned place, failing which the said milk booth would be removed.

2. Learned counsel for the petitioners submits that initially the petitioner No.2 was issued notice dated 08.09.2026 calling upon him to submit the documents relating to ownership, construction as well as 'No Objection' of the Ranchi Municipal Corporation giving three days' time, failing which the said milk booth being run by the petitioner No.2 would be removed. Pursuant to the said notice, the petitioner No.2 submitted his reply on 10.09.2026. The receipt given on the first page of the reply will confirm the said fact. A copy of the said reply

along with the receipt of the RMC has been annexed as Annexure-4 to the present writ petition. By way of abundant precaution, the petitioner No.2 again submitted his reply on 13.09.2026, which was also received on the same day as would be evident from the copy of the said reply annexed as Annexure-6 to the present writ petition.

3. The grievance of the petitioners is that despite submission of reply pursuant to the notice dated 08.09.2026, the respondent-RMC without looking into the said reply, in a mechanical manner, issued another notice on 26.09.2026 again directing the petitioner No.2 to remove the concerned milk booth within three days. Since the competent authority of the RMC has not passed any order pursuant to the submission of the reply of the petitioner No.2, the present writ petition has been filed.

4. Dr. Vandana Singh, learned counsel for the respondent-RMC, submits that if the reply of the petitioner No.2 has been received in the office of the RMC, the competent authority i.e. the respondent No.3 will certainly take up the matter and pass appropriate order.

5. Heard learned counsel for the parties and perused the contents of the present writ petition.

6. The specific case of the petitioner No.2 is that pursuant to the notice dated 08.09.2026, he had submitted a detailed reply on 10.09.2026, however, the RMC completely ignoring the said reply, issued another notice on 26.09.2026 to the petitioner No.2 directing him to remove the milk booth from the concerned place. However, no decision appears to have been taken by the competent authority of the RMC.

7. Accordingly, the respondent No.3 is directed to take up the present matter and on issuing proper notice to the petitioners as well as considering the reply of the petitioner No.2, to take appropriate informed decision in accordance with law within two months from the date of receipt/production of a copy of this

order. Till the respondent No.3 passes an order in this regard, no coercive action shall be taken against the petitioners for removal of the concerned milk booth.

8. Pending interlocutory application, if any, stands disposed of.

Satish/-

(RAJESH SHANKAR, J)