2026:JHHC:26876

IN THE HIGH COURT OF JHARKHAND AT RANCHI

WP(C) No.3104 of 2017

1.Kanti Lal Jain, son of Manohar Lal Jain, resident of Goushala Road, PO and PS Jugsalai, Town Jamshedpur, District East Singhbhum, Jharkhand
2.Chandra Shekhar Verma, son of Hira Lal Verma, resident of Naya Bazar, Jugsalai, PO and PS Jugsalai, Town Jamshedpur, District East Singhbhum, Jharkhand
3.Jasraj Jain, son of late Deepchand Jain, resident of Goushala Road, PO and PS Jugsalai, Town Jamshedpur, District East Singhbhum, Jharkhand
4.Ashok Kumar Bhartiya @ Ashok Bharatiya, son of Ramawtar Bhartiya, resident of Goushala Road, PO and PS Jugsalai, Town Jamshedpur, District East Singhbhum, Jharkhand
5.Maya Choudhary, wife of Late Hanuman Prasad Choudhary, resident of Goushala Road, PO and PS Jugsalai, Town Jamshedpur, District East Singhbhum, Jharkhand

… Petitioner(s).

Versus

1.The State of Jharkhand through the Deputy Commissioner, East Singhbhum, Jamshedpur, PO and PS Jamshedpur, District East Singhbhum
2.The Sub Divisional Officer, Jamshedpur, PO and PS Jamshedpur, District East Singhbhum, Jharkhand
3.Bihar State Financial Corporation through its Managing Director, office at Frazer Road, Patna, PO GPO, PS Kotwali, Town and District Patna, Bihar and its Branch office at 64/P, Industrial Area, Kokar, PO and PS Sadar, Town and District Ranchi, Jharkhand
4.Deputy Manager, In-charge Zone-IV, Bihar State Financial Corporation, office at Frazer Road, Patna, PO GPO, PS Kotwali, Town and District Patna, Bihar
5.Recovery Officer-cum-Branch Manager, Bihar State Financial Corporation, branch office at 64/P, Industrial Area, Kokar, PO and PS Sadar, Town and District Ranchi, Jharkhand

… Respondent(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Indrajit Sinha, Advocate
Mr. Ashwini Priya, Advocate
Ms. Sanjana Shrestha, Advocate
For the Respondents : Ms. Nirupama, AC to Sr. SC-II
Mr. Ashok Kumar Yadav, Advocate

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04 /07.09.2026: The petitioners are aggrieved by Annexure-3 which is a notice dated 12.05.2017 issued by the Bihar State Financial Corporation (BSFC).

2. By the aforesaid notice the petitioners were directed to vacate the premises in question on the ground that the same has already been sold out.

3. Admittedly the petitioners are tenant in the said premises. The said premise was originally belonged to M/s Sahu Hotel. A loan was taken from the BSFC, as there was default the BSFC auctioned the property in question. Admittedly none of the tenants participated in the auction process.

4. After the auction was complete, the impugned letter was issued to the tenants who were the shop owners in the said premises to vacate the same only on the ground that the property has already been sold.

5. The fact that the property has been sold cannot be a ground to evict the tenants. The law of tenancy is governed by the Jharkhand Building (Lease, Rent and Eviction) Control Act. The grounds mentioned in the Act can only lead to eviction. Thus, the respondent-BSFC could not have issued the impugned letter directing eviction. It is for the landlord to evict the tenants in consonance with the Jharkhand Building (Lease, Rent and Eviction) Control Act.

6. In this case now the possession of the property has been taken over by the BSFC and for all practical purpose it is the BSFC who is in possession and should be treated as the landlord, until the property is transferred by BSFC to any purchaser.

7. Thus, all the tenants should pay rent to the BSFC and if

there is default it will be open to the BSFC to take appropriate steps as per the Jharkhand Building (Lease, Rent and Eviction) Control Act to evict the defaulter.

8. If in future BSFC transfer the building to any person, the tenants in occupation of the building will pay rent to the new owner. BSFC will inform the said to the existing tenants.

9. Thus, in view of what has been held above, this writ petition is **disposed of.**

(ANANDA SEN, J.)

07.09.2026
Tanuj/CP-2

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