**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**W.P. (C) No. 7835 of 2026**

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1. Shreya Prasad, W/o Mukesh Prasad, R/o Argora, Kathal More Road, P.O. & P.S.-Argora, District-Ranchi
2. Mukesh Kumar, S/o Late Rajdahm Sahu, R/o Argora, Kathal More Road, P.O. & P.S.-Argora, District-Ranchi

..... Petitioners

-Versus-

1. The State of Jharkhand, through the Secretary, Urban Development & Housing Department, Ranchi
2. Municipal Commissioner, Ranchi Municipal Corporation, Ranchi
3. Assistant Town Planner, Ranchi Municipal Corporation, Ranchi

..... Respondents

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**CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR**

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For the Petitioners : Mr. Shadab bin Haque, Advocate
Mr. Rahul Kumar, Advocate
Mr. Aaryamann Relan, Advocate
For the State : Mr. Tarun Kumar Mahato, AC to AG
For Res. Nos. 2 & 3: Dr. (Mrs.) Vandana Singh, Advocate
Mr. Vivek Kumar Sharma, Advocate
Ms. Aliza, Advocate

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**Order No.02** **Date: 05.10.2026**

1. The present writ petition has been filed for quashing the notice as contained in memo No. 2030 dated 16.09.2026 issued by the respondent No. 3, whereby the petitioners have been directed to stop commercial use of the building in question within seven days failing which the said building shall be sealed and appropriate proceeding shall be initiated under the provisions of Jharkhand Municipal Act, 2011 [hereinafter referred to as 'the Act, 2011'] and Jharkhand Building Bye-Laws, 2016 [hereinafter referred to as 'the Bye-Laws, 2016].

2. Learned counsel for the petitioners submits that the petitioners run a community hall/banquet hall near Argora

Chowk, Ranchi in the name and style of Lake Garden Banquet Hall. The land on which the said banquet hall has been constructed belongs to the petitioner No. 2. The petitioners use to let out the said banquet hall to different persons to hold marriage ceremonies and other social gatherings.

3. It is further submitted that the petitioner No. 2 has a valid holding number and has been regularly paying holding tax for the said banquet hall. There was no dispute with respect to the said property till issuance of the impugned notice dated 16.09.2026 under the signature of the Assistant Town Planner, Ranchi Municipal Corporation, Ranchi-respondent No. 3, whereby the petitioners were informed that the said property was being used for commercial/non-residential purposes which was illegal. The petitioners were also directed to stop the commercial use of the said building within seven days failing which it would be sealed and appropriate proceeding would be initiated under suitable provisions of the Act, 2011 and the Bye-Laws, 2016.
4. Learned counsel for the petitioners contends that trade licence for the said building was issued in the name of the petitioner No. 1 on 19.11.2022 and the petitioner No. 2 also possess valid holding number for the said building. It is further argued that since the petitioners have been paying the municipal tax on commercial rate for the said

building, the impugned notice dated 16.09.2026 is itself unwarranted. He refers to Entry No. 22, Table No. 4 under Clause 29.9 of the Bye-Laws, 2016 and submits that a community hall and a welfare centre can be run in a residential area. It is also contended that as per the provisions of the Act, 2011, the municipal authorities cannot seal any building unless a suitable proceeding is drawn and proper opportunity of hearing is afforded to the person concerned with the said building.

5. Dr. (Mrs.) Vandana Singh, learned counsel appearing on behalf of the respondent Nos. 2 & 3, submits that since the petitioners have been running a banquet hall in a residential area, which is not permitted under the provisions of the Act, 2011 and the Bye-Laws, 2016, the impugned notice dated 16.09.2026 has been issued to the petitioners.

6. Heard learned counsel for the parties and perused the materials available on record. The petitioners have specifically contended in the writ petition that trade licence for the building in question has been issued in the name of the petitioner No. 1 on 19.11.2022 and the petitioners have also been paying the holding tax on commercial rate. It has also been contended that as per the provisions of the Bye-Laws, 2016, community hall and welfare centre can be run in a residential area. According to learned counsel for the petitioners, a marriage/banquet hall is a

type of community hall and therefore, there can be no restriction in running the same in a residential area.

7. Since pursuant to the impugned notice dated 16.09.2026, no further proceeding has been drawn by the Ranchi Municipal Corporation, Ranchi, it seems appropriate to direct the respondent No. 2 to draw a formal proceeding in this regard.
8. Accordingly, the respondent No. 2 is directed to issue fresh notice to the petitioners on the present issue and on receipt of their response, to pass appropriate order in accordance with law. It is also observed that before passing the final order, the respondent No. 2 shall provide an opportunity of hearing to the petitioners/their representatives.
9. Till final order is passed on the present issue by the respondent No. 2, the building in question shall not be sealed by the Ranchi Municipal Corporation, Ranchi.
10. The writ petition is, accordingly, disposed of with the aforesaid direction.

**(Rajesh Shankar, J.)**

**05.10.2026**
***Vikas/***
***Uploaded on 05.10.2026***