

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24402 of 2013

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1. Sheikh Serajul Son Of Late Sheikh Tuzar Resident Of Village -
Bhedihari, P.S. - Purushottampur, District - West Champaran

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, West Champaran, At Bettiah
3. The Deputy Collector Land Reforms, Narkatiaganj, West Champaran
4. The Anchaladhikari, Mainatand Anchal, District - West Champaran
5. Sheikh Nathuni Son Of Late Tuzar Resident Of Village - Bhidihari, P.S. -
Purushottampur, District - West Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Jawahar Pd. Karn

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 01-08-2017 Heard learned counsel for the petitioner, learned

counsel for the State as well as learned counsel for the respondent

no. 5.

Petitioner is aggrieved by the order dated 28.08.2012

passed by the learned Additional Collector, West Champaran,
Bettiah in Jamabandi Sudhar Appeal Case No. 175 of 2011-12 by
which and whereunder he set aside the order dated 19.06.2007
passed by DCLR, Narkatiganj in Jamabandi Sudhar Case No. 06
of 2007-08 and restored the Jamabandi No. 435 and 786 in the
name of respondent no. 5.

It is an admitted position that originally, the Jamabandi



of disputed plots were opened in the name of father of petitioner and respondent no. 5 but subsequently, respondent no. 5 applied for mutation of his name vide mutation Case No. 92 / 2003-04 and the aforesaid mutation case was allowed and the name of respondent no. 5 was mutated in respect of plot no. 580 of Mouza Bhedihari vide Jamabandi No.435 and plot no. 184 and others of village Marjadwa vide Jamabandi no. 786.

However, the petitioner filed Jamabandi Sudhar Case No. 24/2005-06 before the court of DCLR, Narkatiganj against the order passed in Mutation Case No. 92/ 2003-04 but the aforesaid Jamabandi Case No. 24/2005-06 was rejected and instead of challenging the aforesaid order of rejection in appeal before the appropriate authority, the petitioner again filed Jamabandi Sudhar Case No. 06/2007-08 which was allowed by DCLR, Narkatiganj by passing the order dated 19.07.2004, against which respondent no. 5 filed Jamabandi Sudhar Appeal Case No. 175 / 2011-12 before the Additional Collector, who having allowed the appeal set aside the order passed by the DCLR, Narkatiganj directing him to restore Jamabandi No. 435 and 786 in the name of opposite party no. 5.

From perusal of the impugned order, I find that the learned Additional Collector, West Champaran, Bettiah has passed



a reasoned order and moreover, it appears that petitioner filed Jamabandi Case No. 06/2007-08 after concealing and suppressing the fact regarding rejection of his previous similar prayer by the same authority and, therefore, in the aforesaid circumstance I do not find any merit in this writ petition.

Accordingly, this writ petition stands dismissed on Admission stage itself.

(Hemant Kumar Srivastava, J)

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