

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1845 of 2016

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1. Shiv Shankar Bhagat
2. Basuki Bhagar, Both are sons of late Jai Mangal Bhagat, resident of village and P.O.- Amarpur, P.S. Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. S.M. Rahman, Additional Collector, Banka Land Reform.
3. Brajesh Kumar Deputy Collector, Land Reform, Banka.
4. Rajesh Kumar Sinha Circle Officer, Amarpur Circle District Banka.
5. Shobha Devi wife of Jagdish Prasad Bhagar.
6. Nagdish Prasad Bhagat, son of late Jai Mangal Bhagat. Both 5 and 6 are residents of village- Amarpur, P.O. and P.S. Amarpur, District- Banka.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-08-2018 It seems that the petitioner is still aggrieved by the order cancelling his Jamabandi by the Collector. On perusal of the order dated 15.05.2012, no way shows that the learned writ Court has interfered with the order cancelling the Jamabandi of the petitioner. The learned writ Court has only observed while disposing of the writ petition that, determination of the share made by the Collector shall be subject to decision in the Title Suit No.10 of 2009 pending before the competent Civil Court. It has been observed that the mutation proceedings are summary proceedings and share as also title cannot be determined in such proceedings.



In the opinion of this Court, since the order cancelling the Jamabandi has not been set-aside by the learned writ Court, the grievance of the petitioner that rent receipts are being issued by the Karamchari on the basis of the determination of shares made by the Collector cannot be looked in the contempt application.

This contempt application is disposed off with liberty to the petitioner to seek his remedy in an appropriate proceeding before a competent Court of law as may be advised.

(Rajeev Ranjan Prasad, J)

Arvind/R.R.Ojha/Ved

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