

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11871 of 2017

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Sri Niwas Chaubey S/o Late Navratan Chaubey, R/o Village- Rewatiya, P.O.- Parmalpur, P.S.- Nawanagar, At Present - R/o Village- Rajpur, P.S.- Natwar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate- cum-Collector, Rohtas at Sasaram.
3. The Additional Collector, Rohtas, District- Rohtas.
4. The Circle Officer, Dinara, District- Rohtas.
5. Raj Narayan Tiwari, S/o Jagdish Tiwari.
6. Sanjharo Kuer, W/o Late Jag Narayan Tiwari.
7. Binod Tiwari, S/o Jag Narayan Tiwari.
8. Pramod Tiwari, S/o Jag Narayan Tiwari.
9. Jagdish Tiwari, S/o Late Briksh Tiwari, Sl. No. 5 to 9 are resident of Village- Rajpur, P.S.- Natwar, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anjani Prashar Mr. Sanjay Kumar Pandey Mr. Vishwajeet Kumar Mishra
For the State	:	Mr. Rishi Raj Sinha -SC-19 Mr. Saurabh Kumar, AC to SC 19

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-03-2019 Heard.

An order dated 04.08.2015, passed in Jamabandi Cancellation Case No. 31 of 2014 has been challenged by the petitioner by filing an appeal before the Collector Rohtas, giving rise to Jamabandi Appeal No. 04 of 2016. It seems that earlier the petitioner had approached the Bihar Land Tribunal against the order of the Additional Collector, Rohtas in Jamabandi



Cancellation Case No. 31 of 2014 dated 04.08.2015, which was dismissed as withdrawn with a liberty to the petitioner to file an appeal before the appellate authority under the Act. It is in this background, that the petitioner has filed the aforesaid Jamabandi Appeal No. 04 of 2016. The petitioner has a grievance that till date the said Jamabandi Appeal No. 04 of 2016 has not been disposed of and is pending for almost three years.

This is to be noted that the Additional Collector, Rohtas by a letter dated 08.12.2016, addressed to the Circle Officer, Dinara, asked the Circle Officer not to implement the order dated 04.08.2015. On subsequent application made by the respondent, the Additional Collector appears to have recalled the said letter by order dated 23.06.2017, which is also being challenged in the present writ application.

In my view, there was no justification for the Additional Collector, Rohtas to have written the said letter dated 08.12.2016 to the Circle Officer, Dinara, asking him not to implement the earlier order passed by the Additional Collector, Rohtas in Jamabandi Cancellation Case No. 31 of 2014. In such circumstance, the order dated 23.06.2017, passed by the Additional Collector, Rohtas does not require any interference.

Considering the nature of the grievance of the



petitioner, as has been noted above, this writ application is disposed of with a direction to the Collector, Rohtas to dispose of the petitioner Jamabandi Appeal No. 04 of 2016 within four months from the date of receipt/production of a copy of this order.

(Chakradhari Sharan Singh, J)

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