

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7671 of 2019

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Mohammad Zamir S/o Late Md. Mansoor, through Altamish, the Power of attorney holder, R/o Upper Ground Floor, house no. 163A/3, Khirki Village Road, Khirki Village, women Polytechnic, Malviya Nagar, Delhi-110017

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
3. The District Magistrate, Bettiah, West Champaran
4. The Land Reforms Deputy Collector, Bettiah, West Champaran
5. The Circle Officer, Bairiya, Bettiah, West Champaran
6. The Circle Inspector, Bairiya, Bettiah, West Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha
For the Respondent/s : Mrs. Nutan Sahay, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-04-2019 The petitioner has a grievance that an order of the Deputy Collector Land Reforms, dated 22.11.2017, passed in Mutation Appeal No. 62 of 2016-17, has been misinterpreted and *jamabandi* has been wrongly created in respect of part of the land in question in favour of Indrajit Sah. The said Indrajit Sah has not been impleaded as party in the present writ application.

Learned counsel appearing on behalf of the petitioner states that a title suit is pending in respect of the land in question between the petitioner and the said Indrajit Sah. It is also being



argued that since on the basis of incorrect *jamabandi* created in favour of said Indrajit Sah, rent receipts are being accepted from him, which may prejudice the case of the petitioner in the title suit.

Since the title suit is pending, the question of petitioner's right, title and possession can be thrashed thoroughly and adjudicated upon by the trial Court. It goes without saying that any observation made by the Deputy Collector Land Reforms and any action taken subsequent to said decision of the Deputy Collector Land Reforms shall not prejudice the case of the parties in the title suit, which shall be decided on the basis of its own merits and the evidence adduced at the trial.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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