

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8858 of 2019

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Baban Rai alias Babban Rai, Son of Late Kanchan Rai, resident of Village Narayanpur, Bhatha, P.S. Parsa, Distt.- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Revenue and Land Reforms, Bihar.
3. The Commissioner, Saran Division, Chapra.
4. The Collector-cum District Magistrate, Saran at Chapra.
5. The Deputy Collector, Land Reforms, Parsa.
6. The Circle Officer, Parsa, Saran.
7. The Circle Inspector, Parsa, Saran.
8. The Revenue Karamchari, Parsa, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh, Advocate
For the Respondent/s : Mr. Subash Chandra Yadav (Gp15)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and the State.

2. The present application is anticipatory writ application, which is not sustainable in the eye of law.

2. The petitioner is apprehending cancellation of Jamabandi on the ground that notice has been issued.

3. The law in this regard is well settled that if the authorities have issued notice, the petitioner is at liberty to file objection and contest the proceeding for cancellation of Jamabandi. If any decision adverse to the interest of the petitioner is taken by the respondents, liberty shall be available



to him to approach the appropriate forum/authority in accordance with law.

4. Similarly, the notice under the Bihar Public Land Encroachment Act does not warrant indulgence in the present proceeding, as the petitioner has remedy to approach the authorities and explain that the land in question is not a public land and there is no encroachment over the same.

5. With the aforesaid liberty, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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