

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3115 of 2020

Hari Kishor Prasad (M), aged about 83 years, Son of Badhu Mahto, Resident of Village- Basdih, P.S. Tharthari, District- Nalanda at present resident of Village-Janaro, P.S. Bain, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Department, Government of Bihar, Patna.
2. The Collector, Nalanda at Biharsharif.
3. The Additional Collector, Nalanda at Biharsharif.
4. The Deputy Collector of Land Reforms, Rajgir, District- Nalanda.
5. The Circle Officer, Bain, Nalanda.
6. Ramji Prasad, Son of Shri Ramdhyan Mahto, resident of Village- Mohiuddinpur, P.S. & Anchal- Bain, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ramadhar Shankar, Advocate
For the State : Mr. Sangha Mitra Ghosh, AC to GP15

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 28-02-2020

Heard learned counsel for the petitioner and learned AC
to GP 15 for the State.

2. The petitioner has moved the Court for the following
reliefs:

“That this is an application for appropriate writ, order or direction, quashing the order dated 03.09.2019 passed by the Additional Collector, Nalanda in Jamabandi Cancellation Case No. 09/2017, whereby the Jamabandi No. 64 related to land pertaining to Khata No. 47, 241, P.S. No. 397, total area, 5 acre 18 decimal situated in Village: Janaro, existed in the name of the petitioner has been cancelled.



And for any other relief/relief(s) for which the petitioner is found entitled in the facts and circumstances of the case.”

3. It appears that the order impugned has been passed by the Additional Collector under Section 9(1) of the Bihar Land Mutation Act, 2011 (hereinafter referred to as the ‘Act’). The Act itself provides for a statutory appeal before the Collector of the District under Section 9(6) of the Act.

4. In view thereof, the application stands disposed off with liberty to the petitioner to move before the Appellate Authority under the Act.

5. If such appeal is filed within four weeks from today, the Collector shall condone the delay and hear the matter on merits and thereafter pass a reasoned order, in accordance with law, after giving opportunity of hearing to all concerned.

(Ahsanuddin Amanullah, J.)

P. Kumar

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