

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5231 of 2022

-
1. Ram Saran Roy, Son of Late Ram Swarup Roy, Resident of Mohallah - Barka Chanda, P.O. - Kat Kaira, P.S. - Koilwar, District - Bhojpur (Bihar).
 2. Ram Karan Roy, Son of Late Ram Swarup Roy, Resident of Mohallah - Barka Chanda, P.O. - Kat Kaira, P.S. - Koilwar, District - Bhojpur (Bihar).
 3. Ram Gahan Roy, Son of Late Ram Swarup Roy, Resident of Mohallah - Barka Chanda, P.O. - Kat Kaira, P.S. - Koilwar, District - Bhojpur (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar, through the Collector, Bhojpur at Ara, District - Bhojpur.
2. The Collector, Bhojpur at Ara, District - Bhojpur.
3. The Additional Collector, District - Bhojpur at Ara (Bihar).
4. The Circle Officer, Koilwar, District - Bhojpur (Bihar).
5. Chandra Deo Roy, Son of Late Ram Bilas Roy, Resident of Mohallah - Barka Chanda, P.O. - Kat Kaira, P.S. - Koilwar, District - Bhojpur (Bihar).
6. Sudama Roy, Son of Late Chandra Vansh Roy, Resident of Mohallah - Barka Chanda, P.O. - Kat Kaira, P.S. - Koilwar, District - Bhojpur (Bihar).
7. Rajeshwar Roy, Son of Late Ramdeo Roy, Resident of Mohallah - Barka Chanda, P.O. - Kat Kaira, P.S. - Koilwar, District - Bhojpur (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Pandey
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 29-11-2022 Heard the parties.

It is an admitted position that the Appeal bearing Appeal No. 18 of 2021-22 against the Jamabandi Cancellation in respect of the land of the petitioner is pending before the Collector, Bhojput at Ara.

The petitioner has approached this Court only because during the pendency of this appeal, the Circle Officer, Bhojpur



at Ara has initiated a proceeding under the provision of the Bihar Public Land Encroachment Act.

It is directed that till disposal of the appeal, the further proceedings of the encroachment Case No. 05 of 2021-22 pending before the Circle Officer, Bhojpur at Ara shall remain stayed.

It is observed that the Collector, Bhojpur at Ara is obliged to hear the appeal and dispose of the same in accordance with law expeditiously.

After considering various judgments of this Court on the point of cancellation of long-standing Jamabandi, it cannot be cancelled by the Revenue Authority but it can be challenged before the Civil Court in Title Suit.

With the aforesaid observations and directions, this writ petition is disposed of.

(Sandeep Kumar, J)

Sunnykr/-

U			
---	--	--	--

