

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6515 of 2020

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Sushil Chandra Misra, S/o Late Mahendra Misra, Resident of Village- Baluwa Bazar, P.S.- Baluwa, District- Supaul, At present Village- Samda, P.S.- Ratanpura, District- Supaul.

... .. Petitioners

Versus

1. The State of Bihar through Principal Secretary Revenue and Land Reforms Department, Bihar, Patna.
2. The Additional Collector, Supaul.
3. Sub-Divisional Officer Birpur, District- Supaul.
4. Mosmat Ratni Devi, Widow of Late Bahu Yadav Resident of Village- Samda, P.S.- Ratanpura, District- Supaul.
5. Sudhir Kumar S/o Late Mahendra Prasad Misra Resident of Village- Baluwa Bazar, P.S.- Baluwa, District- Supaul, At present Village- Samda, P.S.- Ratanpura, District- Supaul.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Naresh Chandra Verma, Advocate
For the Respondents : Mr. Dhurjati Kumar Prasad, G.P.-18

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 18-07-2022 Heard learned counsel for the parties.

In this case, the petitioner is challenging the order dated 15.01.2015 passed by the Sub-Divisional Officer, Birpur, in Jamabandi Cancellation No.94 of 2001 and order dated 28.09.2018 passed by the Additional Collector, Supaul, in Jamabandi Cancellation Case No. 95 of 2016.

It is an admitted position that the original order has been passed by an authority who was not competent to pass the order.

In such view of the matter, the original order dated



15.01.2015 passed by the Sub-Divisional Officer, Birpur, in Jamabandi Cancellation Case No. 94 of 2001 and the appellate order dated 28.09.2018 passed by the Additional Collector, Supaul, in Jamabandi Cancellation Case No. 95 of 2016 are not sustainable and accordingly, the same are set aside.

If the parties are aggrieved, they can move the authority who is empowered to deal with the matter in accordance with law.

With the aforesaid observations and directions, this writ petition stands allowed.

(Sandeep Kumar, J)

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