

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2831 of 2017

Ratan Prakash Singh

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar

For the Respondent/s : Mr.Sajid Salim Khan- SC25

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 06-09-2022

I.A. No. 01 of 2022

Heard the parties.

This Interlocutory Application has been filed on
behalf of the petitioner seeking addition of following relief as
follows:-

*“1. (iv). For quashing of Letter No. 767 dated
09.09.2016 (Annexure-5) whereby the Circle Officer has
referred the matter to the Additional Collector for
cancellation of Jamabandi.”*

For the reason mentioned in this application, this
Interlocutory Application is allowed.

C.W.J.C. No. 2831 of 2017

Heard the parties.

The prayer shall be treated as a part of the main writ
petition. The office is directed to add the prayer in the main writ
petition.



A large number of cases have flooded this Court in which long standing Jamabandis are being cancelled or are being recommended to be cancelled by the A.D.M. and the Circle Officer despite law having been laid down by this Court in a number of Judgements. Citizens are made to go in for litigation before the Revenue Authorities and they have to approach this Court for challenging the illegal orders of the Revenue Authorities.

It is high time that the Additional Chief Secretary/Chief Secretary, Department of Revenue and Land Reforms comes out with a guide line as to when the Circle Officer can recommend for cancellation of Jamabandi and the Additional Collector can cancel the long standing Jamabandi.

This Court in a division Bench judgment in the Case of **The State of Bihar through the Collector, Siwan & Ors. Vs Harendra Nath Tiwari reported in 2015 (1) PLJR at Page number 606-607** has held that long standing Jamabandi cannot be cancelled by the Revenue Authorities and long standing Jamabandi can only be cancelled by the State by resorting to filing of Civil Suit in the Civil Court.

In the present case, also, the Jamabandi standing in the name of the petitioner's father since 1964 was recommend to



be cancelled for which Jamabandi cancellation case No. 61 of 2016-17 has been initiated. The recommendation was made by the Circle Officer concerned.

For the reasons mentioned above, the letter number 767 dated 09.09.2016 (Annexure-5) and the notice as contained in Annexure-6 dated 03.10.2016 informing the petitioner about the Jamabandi Cancellation case number 61 of 2016-17 are hereby quashed.

The petitioner shall not be restrained by the Government Authorities to approach his land.

Let this order be communicated to the Collector, Patna through FAX and e-Mail for its compliance forthwith.

(Sandeep Kumar, J)

Shishir/Vikas

U			
---	--	--	--

