

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5430 of 2021**

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1. Chuman Devi Wife of Ram Bilash Pandit. Resident of Village-Bikrampur, P.O. and P.S.-Kajra, District-Lakhisarai.
  2. Dilkhush Devi W/o Anil Pandit, Resident of Village-Bikrampur, P.O. and P.S.-Kajra, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna.
2. The Director, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The District Magistrate Cum-Collector, Lakhisarai.
4. The Additional Collector, District-Lakhisarai.
5. The Deputy Collector, Land Reforms Lakhisarai
6. The Circle Officer, Lakhisarai, Suryagarha Block, District-Lakhisarai
7. Sri Saryug Pandit S/o Late Dasbari Pandit, Resident of Basudeopur P.O. and P.S.-Kajra, District-Lakhisarai.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sadanand Paswan, Advocate  
For the Respondent/s : Mr. Raj Kishore Ray Gp 18

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      15-12-2023

Heard learned counsel for the parties.

2. This writ petition has been filed for quashing the order dated 21.3.2020 passed by the Additional Collector, Lakhisarai in Jamabandi Case No.22/2018 Cancelling the Jamabandi No. 187/435 which was running in the name of petitioners with respect to their Raiyati land bearing Khata no.91 Khesra no.97 area 0.06 decimal situated at Mauza-



Bikrampur falling with in thana no. 110 of Lakhisarai District.

3 . By filing counter affidavit learned counsel for the respondent Nos. 3 , 4 and 6 submits that during pendency of the case Jamabandi cancellation Appeal No. 05 of 2021 has already been dismissed by District Magistrate Lakhisarai on 05.02.2021.

4. However, learned counsel for the State appears and raises preliminary objection to the effect that petitioner has got an alternative statutory remedy under Section 9 (7)(a) of The Bihar Land Mutation Act, 2011 which reads as:

***(7) (a) An application for revision may be filed before the Commissioner of the Division by any person aggrieved by an order of the Collector of the district within 30 days from the date of such order.***

5 . Learned counsel for the petitioner does not dispute the above proposition.

6. In the above view of the matter, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction. Grievance of the petitioner falls under Section 9 (7) (a) of The Bihar Land Mutation Act, 2011 . Petitioner has statutory alternative remedy available which he can avail in accordance with law.



7. Petitioner shall be at liberty to seek remedy before the appropriate forum as may be available to him in accordance with law.

8 . It goes without saying that if any question of limitation arises before the competent authority, the same shall be considered, taking into consideration the fact that the petitioner was pursuing the issue before this Court.

9. This writ petition is accordingly disposed of with the aforesaid observations.

**(Prabhat Kumar Singh, J)**

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