

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5980 of 2018

Narendra Yadav, Son of Late Balmukund Mandal, Resident of Village-Sri Nagar, Ward No. 5, P.O.-Srinagar, P.S.-Sri Nagar, District-Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector, Mathepura.
2. The Collector, Madhepura.
3. The Subdivisional Officer, Madhepura.
4. The Officer Incharge, P.S. Srinagar, Distt.-Madhepura.
5. The Circle Officer Kumarkhand, District-Madhepura.
6. Jagdish Yadav.
7. Bindeshwar Yadav.
8. Jainarayan Yadav. Respondent no. 6 to 8 are Sons of Late Balkrishna Resident of Village-Srinagar Ward No.5, P.O. P.S.-Srinagar, District-Madhepura.
9. Ramanand Yadav.
10. Bijendra Yadav.
11. Hajendra Yadav Respondent No. 9 to 11 are Sons of Late Deo Narayan Yaav, Resident of Village-Srinagar Ward No.5, P.O. and P.S.-Srinagar, District-Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Kameshwar Prasad Singh, Advocate Mr. Syed Md. Najmul Bari, Advocate
For the Respondent/s	:	Mr. Raj Kishore Roy, GP-18

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The petitioner has filed the instant application for the
following relief(s):-

*“That the instant application is for a direction to
correct the Jamabandi and rent receipt wrongly issued
in favour of respondent nos. 6 to 8 and father of*



respondent no. 9 to 11 and further for a direction to create Jamabandi in favour of the petitioner and his brothers namely Bhupendra Yadav, Mahendra Yadav, Surendra Yadav, Rajendra Yadav and Upendra Yadav and accordingly rent receipt be issued in their favour pertaining to Plot No. 46, Khata No. 228, Area 01 Acre 70 Decimals and Plot No. 47 Khata No. 319, area 01 Acre 65 decimals.

The said direction be issued in view of the Judgement dated 3rd September 1968 passed in S.A. No. 682 of 1964, wherein direction was made before Hon'ble Mr. Justice S.N.P. Singh sitting with Hon'ble Mr. Justice Kanhaiyaji to hold the name of father of petitioner namely Balmukund Mandal, S/O Kalit Mandal who was respondent-4 being defendant 1st party and after his demise, petitioner and his brothers are entitled as being his heirs and legal representative.”

The petitioner is aggrieved by the creation of Jamabandi with respect to the land in question in favour of private respondent nos. 6 to 8 and father of respondent nos. 9 to 11.

Having heard learned counsel for the parties and having perused the materials on record, the Court is of the opinion that the petitioner has an alternate and efficacious remedy of filing an application for cancellation of Jamabandi as provided under section 9 of the Bihar Land Mutation Act, 2009



before the Additional Collector concerned.

This writ application is disposed of giving liberty to the petitioner to file an appropriate application before the Additional Collector under section 9 of the Bihar Land Mutation Act, 2011. In case the petition is filed within a period of three months from today, the Additional Collector shall proceed in accordance with law, issue notice to the concerned parties and after hearing all the parties, shall decide the application filed by the petitioner at the earliest.

This writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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