

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4458 of 2023

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Pappu Mishra Son of Late Vidya Mishra @ Vidya Prasad Mishra, Resident of
Mohalla- Khushkibagh, P.S.- Sadar, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
2. The Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
3. The Divisional Commissioner, Purnea.
4. The District Magistrate, Purnea.
5. The Deputy Collector Land Reforms, Purnea.
6. The Circle Officer, Purnea East, Purnea.
7. Mahesh Singh, Son of Purnanand Singh, Resident of Purnea College, Near Sitala Mandir, P.S.- Sadar, District- Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Choudhary, Sr. Adv.
	:	Mr. Amish Kumar, Adv.
	:	Mr. Shantanu Kumar Singh, Adv.
	:	Mr. Shankar Kumar Choudhary, Adv.
	:	Mr. Krishna Chandra Jha, Adv.
	:	Mr. Prabhakar Thakur, Adv.
For the Respondent/s	:	Mr. Raj Kishore Roy, GP-18.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-08-2023 Heard Mr. Ashok Kumar Choudhary, learned Senior

Counsel with Mr. Amish Kumar, learned counsel for the petitioner

and learned counsel for the State.

2. Learned senior counsel for the petitioner submits that

the land of petitioner has illegally been encroached at the hands of

private respondent no.7 in connivance of the State authorities. By

way of of Annexure No.2 of the writ petition, the stand of

petitioner is that wrong Jamabandi has been created by the private



respondents and thereafter they are taking possession of the land of petitioner.

3. Learned counsel for the State submits that the petitioner has statutory remedy under the Bihar Land Mutation Act, 2011 (Bihar Act 23 of 2011).

4. Upon perusal of the pleadings made in the writ petition, it transpires that the real remedy of petitioner is firstly to cancel the illegal Jamabandi and then to proceed further. For the purpose of cancellation of Jamabandi there is special provision under Section 9 of the Bihar Land Mutation Act, 2011 (Bihar Act 23 of 2011).

5. In this view of the matter, the present Writ Petition stands disposed off granting liberty to the petitioner to avail his remedy under the Bihar Land Mutation Act, 2011 (Bihar Act 23 of 2011).

(Dr. Anshuman, J.)

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