

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5574 of 2023

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Md. Istiyaque Ahmad @ Mohammad Istiyaque Ahmad Son of Late Salauddin Mian, Resident of Village- Sarave, Siwan Sadar Circle, Police Station- Siwan Sadar, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Saran Division at Chapra.
3. The District Collector, Siwan.
4. The Additional District Collector, Siwan.
5. The Circle Officer, Siwan Sadar Circle, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s : Mr. Sajid Salim Khan (SC- 25)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ petition has been filed for setting aside the order dated 10.12.2021 passed by the Additional Collector, Siwan in Jamabandi Cancellation Case No. 03 of 2021-22 whereby and where under Jamabandi of Land bearing Revenue P.S. No. 192, Khata No. 859, Area-4 Bigha 8 Katha 15 Dhur, Jamabandi No. 55, Mauza- Sarave, District-Saran in the name of great grandfather of the petitioner namely, late Jalim Mian has been cancelled without following the procedure as established in Chapter-VI of the Bihar Land Mutation Rule,

2012.

3. Learned counsel for the State raised preliminary objection that statutory remedy of appeal is available to the petitioner but he has filed writ petition.

4. In this background, writ petition is disposed off directing the petitioner to avail the remedy of the statutory appeal under Bihar Land Mutation Act, 2011 [Bihar Act 23, 2011].

5. Delay, if any, is directed to be condoned.

(Dr. Anshuman, J.)

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