

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6430 of 2023

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Md. Shafi Alam, Son of Md. Shabbir Alam, Resident of Ward No. 31, Saharsa Basti (Hatia Gachi) P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector Saharsa.
2. The Addit. Collector Saharsa.
3. Md. Nasruddin @ Moti Son of Late Sadik R/O Khuresan Tola Fakira Chak P.S. Salkhua Dist Saharsa.
4. Md. Firdos @ Niyaj Son of Late Sadik R/O Khuresan Tola Fakira Chak P.S. Salkhua Dist Saharsa.
5. Md. Imtiyaj @ Nanhe Son of Late Sadik R/O Khuresan Tola Fakira Chak P.S. Salkhua Dist Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Neeraj Kumar, Advocate
For the State	:	Mr. Rishi Raj Sinha, SC-19
		Mr. Atul Shankar, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-11-2023

1. Heard learned counsels for the parties.

2. This writ application has been filed for quashing of the order dated 13.02.2020 passed by the Additional Collector, Saharsa in Jamabandi Cancellation Case No. 150 of 2018 by which the Additional Collector, Saharsa has allowed the petition filed by the private respondents for cancellation of the Jamabandi which was created in favour of the petitioner vide Jamabandi Case No. 2973/2013-14 by the Circle Officer, Salkhua.

3. At the outset, learned counsel for the State raises



preliminary objection to the effect that petitioner has got alternative statutory remedy before the Collector, Saharsa, in terms of Section 9(6)(a) of the Bihar Land Mutation Act, 2011.

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

5. In the above view of the matter, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction.

6. Petitioner shall be at liberty to seek remedy before the Collector as may be available to him in accordance with law.

7. 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 under Article 226 of the Constitution of India.

8. Writ petition stands disposed of with the aforesaid observations.

(Prabhat Kumar Singh, J)

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