

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6927 of 2023

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Durgesh Tiwari Son of Rampreet Tiwari, Resident of Kateya Shiwala, P.O. and P.S. Kateya, District Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Gopalganj.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Additional District Magistrate (Revenue), Gopalganj.
5. The Deputy Collector Land Reforms, Patna.
6. The Circle Officer, Kateya, Gopalganj.
7. The Officer Incharge of Kateya Police Station, P.O. and P.S. Kateya, District-Gopalganj.
8. Shivji Sah Son of Ujagir Sah, Resident of Village-Kateya P.O. Kateya P.S. Kateya, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Adv.
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ petition has been filed seeking direction to the Additional Collector, Gopalganj to proceed in terms of Letter No.617 dated 06.08.2020 issued by Circle Officer, Kateya, Gopalganj in order to cancel the Jamabandi maintain in Revenue Records under Khata No.12, Khesra No.246, Area 0.50 decimal under Thana No.450, Mauja Ranipur under Ranipur Nizamat.

3. Learned counsel for the petitioner submits that on the application of petitioner, the Circle Officer, Kateya, Gopalganj has



entertained a Misc. Case No.01 of 2020-21 and found that Jamabandi has been fraudulently prepared in the name of private respondent no.8 and, therefore, made reference to the Additional Collector to take action as the competent authority for cancellation of Jamabandi is Additional Collector.

4. Learned counsel for the State submits that Circle Officer, Kateya, Gopalganj has rightly taken step to refer the matter before the Additional Collector, Gopalganj who is the competent authority in case of hearing the matter relating to cancellation of Jamabandi under Section 9 of the Bihar Land Muttion Act, 2011 (Bihar Act 23 of 2011).

5. In the light of submissions made by the parties, the petitioner is directed to file an application before the Additional Collector, Gopalganj who is directed to adjudicate the recommendation made by the Circle Officer, Kateya, Gopalganj vide Letter No.617 dated 06.08.2020 after granting opportunity to all concerned parties within 60 days from the date of appearance of all concerned.

6. With this direction, the present Writ Petition stands disposed off.

(Dr. Anshuman, J.)

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