

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9753 of 2015

=====

Brij Bihari Upadhaya Son of Late Bhola Upadhaya, Resident of village Bagahi, P.S. Itarhi, District Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms, Bihar, Old Secretariat, Patna.
2. The Collector, Buxar.
3. The Deputy collector Land Reforms, Buxar.
4. The Circle officer, Itadhi, Buxar.
5. Modha Paswan Son of late Manik Dusadh, Resident of Village- Daleep Pur, P.s Itadhi, Distric Buxar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar, Adv.
For the Respondent/s : Mr. Ravi Kumar, AC to GP-13.

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-07-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. Learned counsel for the State *prima facie* raised objection that present writ petition has been filed for quashing the order dated 27.09.2014 passed by Additional Collector, Buxar in Jamabandi Cancellation Case No.2 of 2013-14. He further submits that the present writ petition is not maintainable under Article 226 of the Constitution of India due to the reason that the Statutory remedy against the order passed by Additional Collector in Jamabandi Cancellation Case shall lie under Section 9(6)(a) of the Bihar Land Mutation Act, 2011 (Bihar Act



23 of 2011).

3. In this view of the matter, the present writ petition stands disposed of with liberty to the petitioner that he may avail his remedy before the appropriate forum under the Statute within eight weeks from today.

4. Delay, if any, in filing the appeal is hereby condoned.

(Dr. Anshuman, J.)

Ritik/-

U			
---	--	--	--

