

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22598 of 2018

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Satyendra Sah @ Satendra Sah Son of Rambalak Sah Resident of Parsa,
Mathura, Parsa Mathura, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Chapra Saran.
3. The Deputy Collector, Chapra, Saran.
4. The Sub Divisional Officer, ChapraSaran.
5. The Circle Officer, Parsa, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kunal Tiwary
For the Respondent/s : Mr.Raj Kishore Roy- Gp18

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 11-12-2023 Heard the parties.

2. The learned counsel for the petitioner submits that the petitioner has filed a Title Suit in which injunction has been granted in favour of the petitioner and against the State.

3. Despite the injunction order, the respondents were proceeding in the matter and the Jamabandi of the petitioner was cancelled by the authorities.

4. Learned counsel for the State has relied upon the paragraph 9 and 10 of his counter affidavit and has submitted that the Circle Officer, Parsa vide his order dated 25.09.2018 has stopped further action on the said land after receiving the application of the petitioner till final adjudication in Title Suit No. 07 of 2010 which is still pending.

5. The petitioner has challenged the order dated



20.07.2018 and 18.11.2018. It is an admitted position that the injunction order was passed on 05.04.2011 by the Munsif-II, Saran in Title Suit No. 7 of 2010. During the pendency of the injunction order, the jamabandi of the petitioner's land has been cancelled by the Additional Collector, Saran vide order dated 20.07.2018 and the same has been passed in complete violation of the injunction order dated 05.04.2011 and therefore the same is illegal and cannot be sustained.

6. Accordingly, the order dated 20.07.2018 passed by the Additional Collector, Saran by which the Jamabandi of the petitioner has been cancelled is hereby quashed. The order of the Circle Officer, Parsa dated 18.09.2018 passed in violation of the injunction order dated 05.04.2011 and in view of his own admission in the Counter Affidavit is also hereby quashed.

7. The Additional Collector, Saran and the Circle Officer, Parsa are directed to be vigilant in future and they should not act and pass any order against any injunction order passed by a competent Civil Court.

(Sandeep Kumar, J)

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