

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21319 of 2019

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Lalita Devi Wife of Ramavatar Singh, Resident of Village Naya Tola, P.O. and District-Jamui, Permanent Resident of Village-Naiyadih Mainijor, Anchal-Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The District Magistrate, Jamui.
3. The Additional Collector, Sadar, District- Jamui.
4. The D.C.L.R., Sadar, District- Jamui.
5. The Circle Officer, Jamui, District- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha SC 19

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-04-2023 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The petitioner has filed the instant petition for the
following relief(s) ;

*(i) That the classification of Raiyati land
of petitioner as Gair Mazarua contained under
Zamabandi No. 166 of Mauza- Satgama, Thana
No.32, Khata No.220, Keshra No.1082, Area- 1
Acre 50 decimal, District-Jamui be quashed.*

*(ii) That consequent upon above
quashing, the necessary corrections be made in all
records of right maintained by Govt. authorities.*

(iii) That the direction of learned



D.C.L.R, Sadar, District- Jamui contained in letter No.402 dated 16.05.2018 directing initiation of cancellation process of Zamabandi No.166 concerning land in question of petitioner be quashed so far it relates to petitioner.

(iv) That respondent authorities may be directed to refrain from making corrections in record of rights and in register-II concerning petitioner's land unless by the process of law or by the order of competent authority.

(v) That the respondent authorities be further be directed to notify the registry office, Jamui regarding de-classification of petitioner's land accordingly.

vi) That any other relief/reliefs for which the petitioner be found entitled in law be given to her in accordance with law in the fact and circumstances of the case.”

It is submitted by learned counsel appearing for the petitioner that the relief sought for by the petitioner in the instant application, as quoted herein above were two folds. Firstly by Annexure-10 (at page 34) of the writ application, the plot no. 1082 appertaining to Jamabandi no. 166 of the petitioner, the plot in question was wrongly categorized as gairmazarua aam. It is further submitted that the Circle Officer, Jamui also sent a proposal for cancellation of the said



Jamabandi existing in the petitioner's name. Learned counsel for the petitioner further submits that during pendency of this application, the Additional Collector, Jamui has been pleased to pass a detailed reasoned order dated 7.12.2022 (Annexure-12) in Jamabandi Cancellation Case no. 96/2018 by which the Jamabandi no. 166 existing in the petitioner's name has been upheld and the proposal of the Circle Officer, Jamui has been turned down.

In view of the above, this Court is of the opinion that one of the main relief stands granted pursuant to the order dated 7.12.2022 passed in Jamabandi Cancellation Case no. 96 of 2018 by the Additional Collector, Jamui. So far as the question of wrongful classification of the raiyati land of the petitioner vide Annexure-10 is concerned, the petitioner will file a detailed representation/petition before the Circle Officer, Jamui (respondent no. 5) within a period of four weeks from today.

In case such a representation is filed by the petitioner, the Circle Officer, Jamui (respondent no. 5) shall decide the same in accordance with law taking into consideration the above order passed by the Additional Collector in Jamabandi cancellation case as also all other points which may be raised by the petitioner in his representation at the earliest preferably



within a period of three months of its filing.

Writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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