

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1055 of 2023

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1. Anand Kumar Son of Late Laljivan Ram Resident of Village Muhammadpur (Kurji), P.S. Phulwarisharif, District Patna.
 2. Jay Kishan Ram Son of Late Lal Jivan Ram Resident of Village Muhammadpur (Kurji), P.S. Phulwarisharif, District Patna.
 3. Gangi Devi Wife of Late Sajivan Ram At-Muhammadpur (Kurji), P.S. Phulwarisharif, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary Revenue and Land Reforms Department, Government of Bihar, Patna,
3. The Principal Secretary Revenue and Land Reforms, Department of Bihar.
4. The D.C.L.R Patna.
5. The Circle Officer Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate Mr. Navin Sharma, Advocate
For the Respondent/s	:	Mr. Asif Kalim, AC to AAG 12

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioners and learned counsel for the respondent State.

The petitioners have filed the instant application for the following relief(s) :

“ i To direct the respondents to remove the name (Late Suresh Pashi son of Late Kunwar Pashi) which is wrongly mentioned in Jamabandi register (register- ii) instead of the name of the grandfather of the petitioner no. 1 & 2 and father-in-law of petitioner no. 3 i.e., Late Bansi Chamar son of Late Khirodhar Chamar.

ii. Also, to direct the respondents to insert the name of the grandfather of the petitioner



no. 1 & 2 and father-in- law of petitioner no. 3 i.e., Late Banshi Chamar instead of Late Suresh Pashi. The name of Late Suresh Pashi has been wrongly mentioned in Jamabandi register with oblique motive and mala-fide intentions.

iii. Also, to direct the respondents to mutate the land in question in the favor of petitioners in Jamabandi register and thereafter generate new rent receipt in the name of petitioners.

iv. Also, for any other relief for which the petitioners are entitled to receive as of law.”

It is submitted by learned counsel for the petitioners that the land in question appertaining to khata no. 27, plot no. 732 measuring an area of 29 decimal situated at Muhammadpur, Sub-Registry Office, Phulwarisharif, Anchal Phulwarisharif in the District of Patna was recorded in the name of the ancestor of this petitioner namely Late Banshi Chamar. Learned counsel submits that no partition has taken place in the family. It recently transpired that the Jamabandi has been canceled and opened in the name of one Suresh Pashi son of Late Kunwar Pashi.

Learned counsel for the petitioners submits that on learning the above facts, the petitioners filed an application before the Deputy Collector Land Reforms, Patna for



cancellation of the Jamabandi in the name of Suresh Pashi and for making appropriate correction in the same. However, inspite of having filed the same, the application/representation of the petitioners continues to remain pending, no order has been passed thereon and thus forcing the petitioners to file the instant writ application for the relief mentioned hereinabove.

Having heard learned counsel for the parties and taking into consideration the averments made, this writ application is disposed of with the following directions :

(i) The petitioners will file an appropriate petition before the Deputy Collector Land Reforms, Patna (respondent no. 4) with respect to the subject matter of the writ application within a period of three months.

(ii) The D.C.L.R, Patna shall proceed to issue notice to the necessary parties and after hearing all concerned shall pass an appropriate order in accordance with law at the earliest preferably within a period of six months of filing of the petition by the petitioners.

The writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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