

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2944 of 2017

Binod Kumar Sinha S/o- Late Mahaveer Prasad, R/o Village- Oap, P.S.-
Aungari, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Collector-Cum- District Magistrate, Nalanda at Bihar Sharif.
3. The Additional Collector-Cum-Additional District Magistrate, Nalanda at Bihar Sharif.
4. The Circle Officer, Circle Ekangersarai, District- Nalanda.
5. The Circle Inspector, Circle Ekangersarai, District- Nalanda.
6. The Officer-in-Charge, Police Station, Ekangersarai, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Binit Kumar, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC-25

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL JUDGMENT

Date : 05-08-2024

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been preferred for the
following relief/s:-

*“i) To issue an appropriate writ (s), order
(s) or Direction (s) commanding thereby to
the Respondent (s) Particularly to
Respondent No.3, the District Collector-
Cum-District Magistrate, Nalanda to
institute an appeal filed against
cancellation of Jamabandi by the
Additional Collector-Cum- Additional*



District Magistrate, Nalanda in Jamabandi cancellation case No. 31/2014-15 dated 27.02.2015, thus thereafter promptly decide the appeal after hearing the parties concerned and in the meantime operation of order impugned to be directed to kept in abeyance.

(ii) To further issue an appropriate writ (s) commanding thereby to the Respondent (s) concerned to not disturb the petitioner's right, title and possession of the land appertaining to Khata No. 210, Khesra No. 41, Thana No. 119 and Jamabandi No. 978 and/or grant any other relief/reliefs befitting in the facts and circumstances of the case.”

3. At the outset, learned counsel for the petitioner confined his prayer with regard to disposal of appeal preferred by the petitioner on 02-06-2015 within a time frame, against the order dated 27-02-2015, passed in Jamabandi Cancellation Case No. 31/2014-15, which is pending consideration before the District Collector-cum-District Magistrate, Nalanda at Bihar Sharif.

4. On the other hand, learned counsel for the State in view of limited prayer canvassed on behalf of the petitioner, does not object to the disposal of appeal preferred by the



petitioner, which is pending consideration.

5. In that view of the matter, the District Collector- Cum- District Magistrate, Nalanda at Bihar Sharif (respondent No.2) is directed to dispose of the appeal preferred by the petitioner on 02-06-2015, against the order dated 27-02-2015, passed in Jamabandi Cancellation Case No. 31/2014-15 by passing a reasoned and speaking order after affording opportunity of hearing to the parties concerned, in accordance with law, within a period of four months from the date of receipt/production of a copy of this order.

6. With the aforesaid direction, writ petition stands disposed of.

(Rudra Prakash Mishra, J)

Raj Kishore/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

