

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7067 of 2017**

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Gajendra Sah Son of late Shankar Sah, resident of Village Kharika, P.S. Sonepur, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar, through the District Magistrate-cum-Collector, Saran at Chapra
2. The Deputy Collector, Land Reforms, Saran at Chhapra.
3. The Circle Officer, Sonepur Circle, District Saran.
4. The Revenue Clerk Halka Karamchari Sonepur Circle, District- Saran.
5. Ramswarup Teli.
6. Deo Kumar Sah. Both sons of Lakhichand Sah, Both resident of Village Kharika, P.S. Sonepur, District- Saran.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Ashok Kumar Mishra, Advocate |
| For the Respondent/s | : | Mr. Sajid Salim Khan- SC25       |

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

**ORAL JUDGMENT**

**Date : 18-07-2024**

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

2. Following relief(s) have been prayed for in paragraph No. 1 of the present writ application:

*“I. That the present writ application is being directed for issuance of writ in the nature of Mandamus or any appropriate writ/writs commanding the respondents concerned to make necessary correction in the Jamabandi Nos. 524, 268 and 267 under Mauza Kharika of Sonepur Circle of*



*Saran District standing the name of Grandfather of the petitioner as the private respondents 5 and 6 got their names entered in the said Jamabandi collusively with the help of the official respondents. However, the petitioner made representations time and again before the respondent Collector to direct the respondent Circle Officer to make correction in the said Jamabandi but no any action, whatsoever, has been taken by the respondents concerned, as such the private respondents no. 5 and 6 are bent upon to disposes the petitioner from the land of the said Jamabandi, as such the petitioner also seeks direction to the respondents concerned for providing protection from being dispossessed from the lands of above mentioned Jamabandi.”*

3. Learned counsel for the petitioner submits that the petitioner has agricultural land appertaining to Jamabandi No. 524, Jamabandi No. 276 and Jamabandi No. 268 which stood in the name of his grandfather, but the private respondent Nos. 5 and 6 are bent upon to dispossess the petitioner from the land in question. Thereafter, the petitioner submitted an application before the Circle Officer under the Right to Information Act. Since, the petitioner did not get information from the Circle Officer, he filed an appeal under R.T.I. before the D.C.L.R. Sonapur. Since, the petitioner again did not get any information from the D.C.L.R. Sonapur, he moved the State Information Commission, Bihar



where partial information was provided in respect of Jamabandi No. 276. Vide Order dated 02.06.2015, the Chief Information Commissioner has dropped the proceeding. Thereafter, the petitioner filed representations before the District Magistrate, Saran at Chapra, Respondent No. 1 on 25.09.2016 and 23.12.2016 but no application has been filed before the Circle Officer, Sonapur, Respondent No. 3, who is the competent authority in this regard. Learned counsel for the petitioner then submits that he will file application before the Circle Officer, Sonapur and prays for disposal of the same within a time frame.

4. Learned counsel for the State has filed Counter Affidavit stating that admittedly Jamabandi is running the name of private respondents No. 5 and 6 for which rent receipts are being issued since 1969.

5. Considering the aforesaid facts and circumstances and in view of the limited prayer made by the learned counsel for the petitioner, the petitioner is directed to submit an application before the Circle Officer, Sonapur, (Respondent No. 3) within a period of four weeks from today. If any such application is filed, the concerned respondent No. 4 shall consider the same after perusing the documents filed on behalf of the petitioner and pass reasoned



order in accordance with law within a period of two months thereafter.

6. With the aforesaid observation/direction, the present writ application stands disposed of.

**(Rudra Prakash Mishra, J)**

Rajorshi/-  
Pankaj/-

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|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          |            |
| Uploading Date    | 24.07.2024 |
| Transmission Date |            |

