

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2535 of 2024

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Harshit Yadav Son of Maghan Yadav Resident of Village- Shrikishun Kajra,
P.S.- Kajra, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Secretary B.C. and E.B.C. Welfare Department, Government of Bihar, Patna.
3. The District Collector, Lakhisarai
4. The Add. Collector, Lakhisarai
5. The District Welfare Officer, Lakhisarai
6. The Land Reform Deputy Collector, Lakhisarai
7. The Sub-Divisional Magistrate, Lakhisarai
8. The Circle Officer, Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-05-2024 Heard Mr. Mrigendra Kumar, learned counsel for

the petitioner and learned Ac to SC-16.

2. The present petition has been preferred for the
following reliefs:

*(i) for issuance of an appropriate
writ commanding the respondents not to
construct the building of education
department, which is going to be constructed
on purchased land after cancelling the long
standing Jamabandi;*



(ii) for issuance of an appropriate writ restraining the respondents not to make any interference in the peaceful possession of the petitioner.

3. The petitioner claim that despite rent receipt being issued in his name, he was not put on notice before the order in question was passed by the Additional Collector in Jamabandi Cancellation Case No. 15 of 2016 (State vs. Vishwanath Singh and Ors).

4. Learned State Counsel has filed counter affidavit and pointed out that the petitioner has rushed to the High Court without availing the alternate remedy of moving before the Appellate Authority where he can raise all the issues.

5. Learned counsel for the petitioner submits that he will be approaching the concerned authority within a period of four weeks from today alongwith all the relevant documents. However, his continuance need not be disturbed.

6. Learned State Counsel submits that the petitioner has got all the opportunity to convince the Appellate-Authority so that he can pass an appropriate order.

7. In view of the fact that the petitioner now intends to file an appeal before the Appellate-Authority, the writ petition stands disposed of granting liberty to raise all the issues



including prayer for interim protection which shall be taken note
of by the Appellate-Authority.

(Rajiv Roy, J)

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