

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4296 of 2024

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Bidhan Chandra Mishra Son of Late Kapildeo Mishra Resident of Village-
Dumariyabujurg, P.S.- Parbatta, District- Khagaria, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Government of Bihar, Main Secretariat Patna- 800015.
2. The Principal Secretary, Department of Land Reforms, Government of Bihar, Old Secretariat, Baily Road, Patna- 800015.
3. The District Magistrate, District- Khagaria. Pin- Collectorate Building Khagadia, Pin- 851204.
4. The Circle Officer, Parbatta, Khagadia., Parbatta- 851216
5. The Revenue Clerk, Parbatta, Khagadia, Parbatta, Pin- 851216
6. Pawan Kumar Mishra @ Pawan Hazari Son of Vilas Hazari Resident of Village- Dumariya Bujurg, P.S.- Parbatta, District- Khagaria, Bihar.
7. Puja Devi Wife of Pawan Kumar Mishra Resident of Village- Dumariya Bujurg, P.S.- Parbatta, District- Khagaria, Bihar.
8. Asha Devi Wife of Late Niwas Hazari Resident of Village- Dumariya Bujurg, P.S.- Parbatta, District- Khagaria, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nishant Kumar, Advocate
For the Respondent/s : Mr.Government Pleader (27)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-06-2024 Heard the parties.

2. The present petition has been preferred for

(i) issuance of a Writ in the nature of Writ of Certiorari or any other appropriate writ, order or direction of this Hon'ble Court, for quashing of the part of page of Register 2 related to the landed property as detailed and referred as Subject Property hereinafter, in as much as the status of mutation and Jamabandiin relation to 3



the Subject Property, existing in the name of the Grandfather of the Petitioner Late Bachha Hazari, has been manipulated, edited and stricken off illegally by the Respondent No. 5, and further the name of Late Bharose Hazari was substituted therein by the Respondent No.5, on his own whims and fancies and for the reasons best known to him;

(ii) the petitioner further prays for a consequential relief, in terms of Writ of Mandamus, commanding the Respondents specifically the Respondent No. 3 to 5 to act strictly in accordance with law and to mark corrections in revenue records as to the effect that the Jamabandi status of the Subject Property shall be reinstated in the name of the grandfather of the Petitioner Late Bachha Prasad Hazari, as was existing prior to the date of illegal striking off the same by Respondent No.5;

(iii) the petitioner further prays for direction to the respondent Authorities to bring on record the original copy of the impugned page of register 2, for that despite several applications for certified copy of the impugned order, the same was never ever delivered by the Respondent No. 4 and 5;

(iv) the petitioner further prays for direction to the Respondent no. 1 to 3, to take necessary administrative measures as against the Respondents No. 4 and 5, and also against the Private Respondents for being involved in illegal



practice of tempering with government records.

3. The claim of the petitioner is that the local officers with the connivance of the private respondents got the names manipulated/deleted only to defeat the right and title over the land in question.

4. A counter affidavit on behalf of the respondent nos. 3 and 4 duly signed by the respondent no. 4 is on record and learned State Counsel has taken this Court to an order dated 24.01.2024 which is an order of the First Appellate Authority on the information sought for by the petitioner in which it has been recorded that the matter relating to the correction in *jamabandi*, Mutation Appeal Case No. 112/2022-23 is pending before the Deputy Collector Land Reforms, Gogri, Khagaria and in case aggrieved, the petitioner herein can approach the Additional Collector, Khagaria for the redressal of his grievance (Annexure-C to the petition).

5. Learned State counsel as such submits that the respondent-authorities are already in seisin of the matter and the petitioner can put forward his case before them.

6. Learned counsel for the petitioner submits that he will be approaching the concerned authority immediately. In case the petitioner approaches the respondent and appears in the



matter pending, the same shall be taken to its logical conclusion, if still not taken within a period of three months from the date the petitioner approaches the authority.

7. The writ petition stands disposed of with the aforesaid observations.

(Rajiv Roy, J)

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