

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9590 of 2016

=====

Geeta Devi Wife of Nundeo Manjhi Resident of Village- Parsanda , PS
Gidhaur, District Jamui.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Jamui,.
3. The Deputy Collector and Reforms , Jamui.
4. The Circle Officer, Gidharu, District Jamui.
5. Siya Devi Wife of Chandrika Paswan Resident of Village- Banjhaliya, PS
Gidhaur, District Jamui.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar, Advocate
For the Respondent/s : Mr. Kumari Amrita, G.P. 10

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-03-2024 Heard the parties.

2. The petitioner has moved before this Court for issuance of an appropriate writ/writs, order/orders and direction/distions in the nature of Mandamus to issue direction to the respondents to act in the light of the order dated 17.01.2013 passed by the Deputy Collector Land Reforms, Jamui in Mutation Appeal No. 04/2011-12 (Siya Devi vs. Dukhi Manjhi).

3. The petitioner claims to have purchased the land bearing Khata No. 318, Khesra No. 1740 from one Dukhi Manjhi in the year 2007 through a registered sale deed dated



19.12.2007

4. In his case subsequently, he made an application for mutation of the land before the Circle Officer, Gidhaur, Jamui and accordingly, *jamabandi* no. 2570 was created and she started paying rent. One Siya Devi, respondent no. 5 who also purchased land bearing Khata no. 318, Khesra No. 1473 from Parbatiya Devi who claims herself to be ancestor of the Jodhan Manjhi had led claim on the land. This resulted into Appeal No. 04/2011-12 (Siya Devi vs. Dukhi Manjhi). The petitioner appeared in that case and finally it was taken to its logical conclusion on 13.01.2023 (Mutation Cancellation Appeal No. 04/2011-12) whereafter the '*jamabandi*' of both Dukhi Manjhi and this petitioner was cancelled with a direction to the Circle Officer to go through the revenue records of all the affected parties and take appropriate steps accordingly.

5. Learned counsel for the petitioner submits that though the order was against him, in view of the fact that DCLR had directed the Circle Officer, Gidhaur, Jamui to go through the revenue records and after enquiry take remedial measure, even such step being taken by the respondents, his case would have suffice.

6. He submits that the order has been passed in the



year 2013 and 10 years later, the respondent – Circle Officer, Gidhaur, Jamui has not taken any steps in the matter and as per the counter affidavit filed, Paragraph- V & VI states that once the ‘*jamabandi*’ has been cancelled, the subsequent purchaser has got no right to claim the land in question.

7. This Court is afraid how the Circle Officer, Gidhaur, Jamui came to that conclusion in the background of the fact that the DCLR, Jamui had directed him to enquire into the matter, go through the revenue records and take the matter to a logical conclusion. It is complete defiance of the said order and for this the present incumbent cannot be blamed as successive Circle Officers chose to defy the order, the affidavit being made by one Akhilesh Kumar Sinha who at that relevant period was the Circle Officer, Gidhaur Jamui.

8. Instead of keeping the matter pending, summoning the Circle Officer, Gidhaur, Jamui imposing a cost upon him for defying the order of the DCLR, Jamui, it would be appropriate that the said office take immediate steps, issue notice to all the concerned party, go through the revenue records and pass an appropriate order in accordance with law and strictly in line with the order passed by the DCLR, Jamui on 17.01.2013. This exercise must be completed within a period of



four months from today.

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

(Rajiv Roy, J)

Jagdish/-

U			
---	--	--	--

