IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2345 of 2019
In
Civil Writ Jurisdiction Case No.17756 of 2016

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Jaduvanshi Thakur @ Jaduvanshi Sharma S/o Late Rekha Thakur Resident of Village- Bajitpur Malahi, P.O.- Bidupur R.S., P.S.- Bidupur, District- Vaishali.

... ... Petitioner/s

Versus

1. Sri Manoj Kumar, the Deputy Collector Land reforms Hajipur,Vaishali
2. The State of Bihar, through the Principal Secretary,Revenue Department,Got. of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Nutun Sahay, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 15-02-2024 Heard Mr. Naresh Chandra Verma, learned counsel for the petitioner and Mrs. Nutun Sahay who represent the State Government.

I.A. 1/2021

Interlocutory Application No. 1 of 2021 has been preferred for substitution of sole petitioner, Jaduvanshi Thakur @ Jaduvanshi Sharma who died on 13.09.2021 leaving behind the following heirs as stated in paragraph -1 of the interlocutory application.

2. In view of the facts stated, having not opposed by the other side, Interlocutory application no. 1 of 2021 stands allowed and the office to do necessary correction by

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incorporating the names of four heirs as petitioner nos. 2 to 5 in the petition.

MJC No. 2345 of 2019

A show clause on behalf of the opposite party no. 1 has been filed after serving a copy on the learned counsel for the petitioner on 24.03.2023 incorporating the order dated 10.06.2019 pursuant to the order passed by this Court in CWJC No. 17756 of 2016.

2. A bare perusal of Annexure-B would show that the Circle Officer has already recommended the cancellation of '*jamabandi*' stating therein that the land belongs to Santoshi Thakur, who has also having physical possession on it. It has further been incorporated that Santoshi Thakur, Bigu Sharma and Rekha Thakur were three brothers and after dividing the property, they are having ownership right. The documents that the petitioner has produced are suspicious and the issuance of *'Baskit Parcha'* which the petitioner claims to have been issued from the C.O. Bidupur is actually a forged document.

3. This Court is convinced that no further direction can be given to the opposite parties in a contempt application. The petitioner, if so want can challenge the said decision of the Circle Officer, Bidupur (Vaishali) as learned counsel for the

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petitioner submits that subsequently, still cancellation has not been done.

4. The MJC 2345 of 2019 stands disposed of with the aforesaid liberty.

(Rajiv Roy, J)

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