

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10249 of 2024

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Indra Pandey @ Indra Devi Wife of Dinbandhu Pandey Resident of Chhota Pareuwa, near Pani Tanki, Ward No. 18, Raxaul, East Champaran - 845305.

... .. Petitioner

Versus

1. The State of Bihar through the Addl. Chief Secretary, Land and Revenue, old Secretariat, Patna.
2. The District Magistrate, East Champaran P.S Raxaul, Dist - East Champaran.
3. The Additional Collector, Raxaul, P.S. Raxaul, Dist - East Champaran.
4. The Circle Officer, Raxaul.
5. Sri Kishori Lal Prasad Son of Late Ambika Prasad Resident of Raxaul, P.O. and P.S. - Raxaul, District- East Champaran - 845305.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Bishwajeet Kumar, Advocate
For the State	:	Ms. Sarvesh Kumar Singh, AAG- 13
		Ms. Sumita Kumari, AC to AAG - 13

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 08-07-2024

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

2. The petitioner has filed the present writ application for the following relief(s) :-

“ (I) To issue appropriate writ/writs, order/orders, direction/directions in the nature of certiorari to cancelled the Jamabandi No.2095 in the name of Kishori Lal Prasad in place of petitioner illegally by the respondent authority and also order to lodge FIR against the



authority.

(II) For any other relief/reliefs for which the petitioner is found entitle in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that petitioner was in possession of the land bearing Thana No.10, Khata No.57, Khesra No. 875, Area 0.06 Dhur having Jamabandi No. 2095. The mutation of the land of the petitioner was also done by the Circle Officer, Raxaul *vide* Mutation case no. 271 year 2002-2003. The petitioner has also paid the holding tax till 2008-2009 and Raxaul Nagar Panchyat has issued holding tax receipt in favour of the petitioner, as contained in Annexure- P/4 to the writ petition.

4. Learned counsel for the petitioner further submits that when the petitioner approached the Circle Office, Raxaul (Respondent no.4) for linking his Aadhaar Card, then he came to know that the Jamabandi has already been created in the name of another person, Kishori Lal Prasad (respondent No. 5).

5. Learned counsel for the petitioner submits that the petitioner has already filed a representation dated 13-03-2024 before the Additional Collector, East Champaran, Motihari for redressal of her grievances but, the same is still pending consideration before him.



6. If that be so, the writ petition is disposed of with a direction to the Additional Collector, East Champaran, Motihari (respondent No.3) to dispose of the representation pending before him in accordance with law after giving an opportunity of hearing to the parties concerned within a period of three months from the date of receipt/production of a copy of this order.

(Rudra Prakash Mishra, J)

Raj Kishore/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11.07.2024
Transmission Date	N/A

