

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16957 of 2021

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Dhiraj Kumar Son of Prithbi Chand Gupta Resident of Village - Ward No. 25,
Bhartiya Nagar, Kahra, P.S. - Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Government of Bihar, through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. District Magistrate, Saharsa.
4. Additional District Magistrate, Saharsa.
5. The Circle Officer, Kahra, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Advocate.
For the Respondent/s : Mr. Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-11-2024 1. Heard the learned counsel for the petitioner and the
learned AC to AAG-12.

2. The learned counsel for the petitioner submits that
the land pertaining to Khata No.231, Khesra No.2967 and 2950,
having an area of 6 katha, 13 dhur and 2 katha 6 dhur was
purchased from Mosmat Rasilan, wife of Ismail Khan and
Mosmat Raisan, wife of Sheikh Sujo on 11.11.1941, in the name
of Jadu Sah. It is submitted that the aforesaid property was
purchased from the fund of joint family property. It is next
submitted that after the aforesaid lands were purchased,
Jamabandi No.22 was created by Rent Fixation Case



No.440/80/1959-60 in the name of Jadu Sah and Jago Sah. It is submitted that petitioner is great grand son of Jago Sah. It is next submitted that Jamabandi No.22, which was created with respect to the aforesaid lands came to be cancelled by the Additional Collector by an order dated 17.03.2020 in Mutation Cancellation Case No.168/2018. It is submitted that notices were issued in the name of the great grand father of the petitioner by the Additional Collector before cancelling the long standing Jamabandi No.22 but then the notice was never received by any of the family members. It is further submitted that on coming to know that Jamabandi No.22 has been cancelled by the Additional Collector, by his order dated 17.03.2020 in Mutation Cancellation Case No.168/2018, accordingly, the petitioner filed Jamabandi Cancellation Appeal Case No.12/2020 in the Court of District Magistrate, Saharsa. It is next submitted that the appeal of the petitioner before the Collector is pending consideration for more than four years.

3. The learned counsel appearing on behalf of the State submits that the case be disposed of with a direction to the District Magistrate, Saharsa to dispose of the Jamabandi Cancellation Appeal Case No.12/2020 within a time frame.

4. Considering the submissions made by the learned



counsel appearing on behalf of the parties, the writ application is disposed of with a direction to the District Magistrate, Saharsa to dispose of Jamabandi Cancellation Appeal Case No.12/2020 within a period of nine months from the date of receipt/production of a copy of this order.

5. It is made clear that the Court has not gone into the merits of the case.

(Satyavrat Verma, J)

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