

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10967 of 2024

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1. Krishnakant Srivastava S/o- Late Parshuram Prasad Srivastava @ Parshuram Prasad, Resident of village- Baherwa, Police Station- Kateya, District- Gopalganj.
 2. Hari Prasad Srivastava S/o- Late Parshuram Prasad Srivastava @ Parshuram Prasad Resident of village- Baherwa, Police Station- Kateya, District- Gopalganj.
 3. Om Prakash @ Om Prakash Srivastava S/o- Late Parshuram Prasad Srivastava @ Parshuram Prasad Resident of village- Baherwa, Police Station- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Land Reforms Revenue Dept Govt. of Bihar, Patna.
2. The Circle Officer Panchdewari, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh, Adv.
For the Respondent/s : Mr. Standing Counsel 22

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 25-07-2024

Heard the parties.

2. The petitioner is aggrieved by the order dated 12.12.2023 passed in Jamabandi Cancellation Case No. 17/22-23, filed by Circle Officer, Panchdewari.

3. Learned counsel for the petitioner contended that a person who was not even a party to the afore-noted case has filed a petition giving incorrect or false statement that stay has been vacated in Title Suit No. 438 of 2021. As per the



instruction, the *status quo* order passed in the Title Suit No. 438 of 2021 has not been vacated till date. It is further contended that earlier the Additional Collector, Gopalganj, taking note of the objection filed by the petitioner that Title Suit No. 438 of 2021, which has material bearing over the issue and there is order of status quo between the parties, vide his order dated 09.09.2022 stayed the Jamabandi cancellation proceeding till the operation of the status quo.

4. Learned counsel for the State, referring to the impugned order has submitted that the Additional Collector, Gopalganj has only taken note of a petition filed by one Santosh Kumar Srivastava, stating therein that the order of *status quo* has already been vacated. Neither the proceeding has been initiated nor there is any such direction affecting the right of the petitioner. If the petitioner has any grievance, he has remedy to file an objection before the Additional Collector, Gopalganj, who is in seized of the matter.

5. Considering the submissions made at the Bar and after perusing the impugned order, this Court finds that the apprehension of the petitioner is unfounded. Even if the submission of the petitioner is accepted, the petitioner has remedy to file reply/objection to the petition filed by Santosh



Kumar Srivastava, bringing on record the correct factual position.

6. In view thereof, the writ petition has no merit. Accordingly, it is dismissed reserving liberty to the petitioner to file proper reply/objection to the petition filed by Santosh Kumar Srivastava.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30-07-2024
Transmission Date	

