

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12814 of 2024

=====

Harikant Singh, S/o Baban Singh, R/o Village- Hathini, Post- Nokha, District- Rohtas, Bihar-802215.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land Reforms and Revenue Department, Govt. of Bihar.
2. The District Magistrate, Rohtas.
3. The Add. Collector (Land) Sasaram, Rohtas.
4. The D.C.L.R. Sasaram, Rohtas.
5. The Circle Officer, Nokha, Rohtas.
6. Sonamati Devi, W/o Devpujan Singh, D/o Late Shipujan Mahto, r/o Village- Hathini, P.S. Nokha, District- Rohtas.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Advocate
For the Respondent/s	:	Mr. Madhaw Prasad Yadav, GP- 23
		Mr. Meera Singh, AC to GP-23
For the Respondent No.6:		Mr. Anil Kumar, Advocate
		Mr. Sanjay Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 02-09-2024

Heard Mr. Deepak Kumar, learned Advocate for the petitioner and learned Advocate for the State. The respondent no.6 appears through Mr. Anil Kumar, learned Advocate.

2. The petitioner is invoking the jurisdiction of this Court under Article 226 of the Constitution of India seeking quashing of the order dated 07.02.2024 passed in Jamabandi Case No. 91 of 2023 by the Additional Collector, Rohtas at Sasaram. The petitioner has further prayed for a direction to the respondent authorities not to take any action with respect to the



land, in question, till disposal of Title Suit No. 591 of 2010 and Title Suit No. 217 of 2022, pending in the court of Sub-Judge-I, Sasaram at Rohtas.

3. After some argument, learned Advocate for the petitioner fairly submitted that being aggrieved by the order passed by the learned Additional Collector, Sasaram at Rohtas, the father of the petitioner preferred Jamabandi Appeal case before the learned Collector, Rohtas on 16.03.2024, however, till date neither the appeal number has been prescribed nor the same has been proceeded.

4. Learned Advocate for the petitioner also drew the attention of this Court to the order passed by this Court in C.W.J.C. No. 12390 of 2024, wherein order dated 02.07.2024 passed in Mutation Appeal Case Nos. 4/2024-25 and 5/2024-25 passed by the learned Deputy Collector Land Reforms, Sasaram, Rohtas was put to challenge. The Court having considered the submission and while granting liberty to the petitioner to file revision before the Collector vide its order dated 20.08.2024, directed as follows:

“6. Considering the submissions advanced on behalf of learned Advocate for the respective parties, this Court deems it proper to direct the Collector Sasaram at Rohtas to accept and register the Jamabandi Appeal filed on behalf of the



petitioner and after giving proper opportunity to all the stakeholders, dispose off the same preferably within a period of three months from the date of receipt/production of a copy of this order.”

5. At this juncture, learned Advocate for the private respondent submitted that the aforementioned writ petition, bearing C.W.J.C. No. 12390 of 2024 was filed on being aggrieved by the order passed by the learned Deputy Collector Land Reforms, Sasaram, Rohtas in Mutation Appeal Case Nos. 4/2024-25 and 5/2024-25.

6. Having heard the parties and taking note of the fact that the petitioner had already approached before the Collector, Sasaram by filing Jamabandi Appeal and there has already been a direction in the earlier round of litigation, as noted hereinabove, nonetheless the petitioner has been compelled to file the present writ petition. The Court condemn such action of the Collector, Sasaram and direct to ensure the compliance of the order dated 20.08.2024 passed in C.W.J.C. No. 12390 of 2024, whereby this Court has already directed to accept and register the Jamabandi Appeal filed on behalf of the petitioner and after giving proper opportunity to all the stakeholders, dispose off the same preferably within a period of three months.



7. In view of the aforesaid fact, the writ petition stands disposed of.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.09.2024
Transmission Date	NA

