

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14683 of 2024

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Mantu Prasad Singh Son of Shiv Narayan Singh @ Shiv Narayan Mandal,,
Resident of Village-Patwa, P.O.-Sripathar, P.S.-Dhoraiya, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms,
Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The District Magistrate/Collector, Banka.
4. The Sub Divisional Officer, Banka.
5. The Circle Officer, Dhoraiya, District-Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta, Advocate
For the Respondent/s : Mr. Standing Counsel (7)

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL JUDGMENT

Date : 24-09-2024

Heard learned counsel for the petitioner/s and learned
counsel for the State.

2. Following relief(s) have been prayed for in paragraph
no. 1 of the present writ application:

*“I.I. For issuance of writ nature of certiorari
for quashing the order dated 01.06.2024 passed
by Collector, Banka in Misc. Case No. 23/2023-
24 by which Ld. Collector, Banka directed to
cancel Jamabandi No. 247, running in the
Khata No. 32, Khesra No. 117, Area-45
decimal.*

*I.II. Further issue direction to the respondent
not interfere to the Jamabandi No. 247 which is
running in the Khata No. 32, Khesra No. 117,*



Area-45 decimal.

I.III. For further give other legal consequential benefit to appellant.”

3. Learned counsel for the petitioner submits that the land in question appertains to Thana No. 142, Khata No. 32, Khesra No. 117, Area-45 decimal, which was settled in the name of the father of the petitioner vide settlement Parwana Case No. 12/1970-71. The petitioner is aggrieved by the order dated 01.06.2024 passed by the learned Collector, Banka, whereby it was directed to cancel Jamabandi No. 247, pursuant to the direction of this Court dated 05.03.2020 passed in CWJC No. 22403 of 2018 in which direction was given to the petitioner to file representation before the District Magistrate, Banka for grant of compensation of his Raiyati land.

4. Learned counsel for the State submits that *vide* order dated 01.06.2024 passed by the District Magistrate, Banka, direction was given to Circle Officer to recommend before the learned Additional Collector, Banka, for cancellation of Jamabandi and further direction was given to learned Additional Collector to cancel the Jamabandi No. 247. It is further submitted that the case has not yet been instituted before the learned Additional Collector, Banka for cancellation of Jamabandi No. 247 and thus, learned counsel for the State



submits that the present writ application is premature at this stage.

5. Considering the aforesaid submissions of the parties and taking into account the fact that the present writ application is premature at this stage as no case is yet instituted before the learned Additional Collector, Banka, the writ application is dismissed with liberty to the petitioner to move before appropriate forum for ventilation of his grievance, if so required.

(Rudra Prakash Mishra, J)

Rajorshi/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28.09.2024
Transmission Date	N/A

