

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17303 of 2024

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1. Jagdish Ram Son of Late Panch Ram Resident of Village- Jagta Kharsahi, Ward No.- 04, P.S.- Raniganj, District- Araria.
 2. Raja Ram, Son of Late Panch Ram Resident of Village- Jagta Kharsahi, Ward No.- 04, P.S.- Raniganj, District- Araria.
 3. Sunil Ram, Son of Late Panch Ram Resident of Village- Jagta Kharsahi, Ward No.- 04, P.S.- Raniganj, District- Araria.
 4. Shankar Ram, Son of Late Panch Ram Resident of Village- Jagta Kharsahi, Ward No.- 04, P.S.- Raniganj, District- Araria.
 5. Shyam Ram, Son of Late Panch Ram Resident of Village- Jagta Kharsahi, Ward No.- 04, P.S.- Raniganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Divisional Commissioner, Purnia Division, Purnia.
3. The Collector, District- Araria.
4. The Additional Collector, District- Araria.
5. The Anchal Adhikari, Raniganj, District- Araria.
6. Mr. Shailendra Das, Son of Late Jagdish Yadav Resident of Village- Jagta Kharsahi, Ward No.- 5, P.S.- Raniganj, District- Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dhirendra Kumar Jha, Advocate
For the Respondent/s	:	Mr.Jitendra Kr. Roy, SC-136
		Mr.Hitesh Suman, AC to SC 13

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 18-11-2024

In the instant petition, petitioner has prayed for
the following relief(s):-

*(I) For setting aside
the order dated 5/2/2024 passed by
the Additional Collector, Araria
(Respondent No. 4) passed in
Jamabandi Cancellation Case No.*



77/2023-24 whereby the learned Additional Collector has been pleased to reject the petition of the petitioners.

(II) For consequently directing the Respondent Adhikaries to cancel the Jamabandi running in the name of Mahanth Ram Bilash Das whose successor is Respondent No. 6 with regard to the land in question.

(III) For restraining the Respondents from interfering with the peaceful possession of the petitioners over the land in question.

(IV) For any other relief or reliefs for which the petitioner may be found entitled in the facts and circumstances of the case.

Learned counsel for the petitioner submits that petitioner has filed an application for cancellation of jamabandi of Respondent No. 6 in respect of the land detailed in para 4 of the writ petition before the learned Additional Collector, Araria and by virtue of order dated 05.02.2024, Additional Collector, Ararai has rejected the same. He further submits that no any documentary evidence to show that the sale deed possessed by respondent no. 6 incorporates the land in question. It is also not brought on record and the sale deed produced by the petitioner does not contain the land in question. In this way, the order passed by the Additional Collector, Araria, is not in accordance with law. Petitioner is aggrieved by the order of the



Additional Collector, Araria. Hence, the present writ petition.

Learned counsel for the State submits that there is appropriate and specific relief against the order dated 05.02.2024 passed by the Additional Collector, Araria before the District Magistrate, Araria but the petitioner has not availed the appropriate remedy before the concerned authority. Hence, the present writ petition is not maintainable.

In the light of the aforesaid facts and circumstances of the present case, the instant writ petition stands disposed of with liberty to the petitioner to represent his grievance before the appropriate authority within six weeks from the date of receipt of this order. If petitioner files his representation within the stipulated period, the concerned authority is directed to pass appropriate order within a reasonable period of time, as per the law.

(Alok Kumar Pandey, J)

alok/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20.11.2024.
Transmission Date	N/A

