

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1629 of 2025

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1. Basanti Devi Wife of Shiv Kumar Prasad Maurya Resident of Village-Chakrasalpur P.O.-Ranabigha Police Station-Deepangar District-Nalanda.
 2. Raj Kumari Devi Wife of Late Ravindra Kumar Resident of Village-Chakrasalpur P.O.-Ranabigha Police Station-Deepangar District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate-Cum-Collector, District-Nalanda.
3. The Additional Collector, District- Nalanda.
4. The Circle Officer, Block-Biharsharif, District-Nalanda.
5. The Block Development Officer, Biharsharif, District-Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Respondent/s : Mr. AC to GP-5

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-03-2025 Heard learned counsel for the petitioners and learned
AC to GP-5 for the State.

2. Learned counsel appearing on behalf of the petitioners submits that the land in dispute in the present case pertains to Khata No. 168, Khesra No. 1502, area 1 acre 31 decimals having Jamabandi No. - Old 8(k), New 14 and land pertaining to Khata No. 168, Khesra No. 1502, area 15.15 decimals bearing Jamabandi No. Old (k), New 16 at Mauza Devisarai, Thana No. 127, Block Biharsharif, district Nalanda. It is further submitted that the land in dispute is the purchased land of the petitioners and the aforesaid Jamabandies were created. It



is next submitted that Jamabandi Cancellation Case No. 121 of 2021 was instituted in the Court of the Additional Collector, Nalanda. It is also submitted that Jamabandi Cancellation Case No. 121 of 2021 was allowed by an order dated 18.06.2022 whereby the Jamabandies were cancelled. The petitioners, accordingly, moved before the Collector, Nalanda by filing Jamabandi Cancellation Appeal Case No. 32 of 2022. It is submitted that Jamabandi Cancellation Appeal Case No. 32 of 2022 is still pending adjudication before the Collector, Nalanda but then the authorities are coming over the land of the petitioners for construction of government building for which even 'Bhumi Pujan' has been done. It is further submitted that on one hand the Jamabandi Cancellation Appeal of the petitioners is pending before the Collector, Nalanda for adjudication and on the other hand the authorities are coming on the land of the petitioners disturbing their possession. It is next submitted that the instant writ application has been filed by the petitioners for a direction upon the authorities to stay the construction work over the land in dispute till disposal of Jamabandi Cancellation Appeal Case No. 32 of 2022.

3. Learned counsel appearing on behalf of the State seeks time for filing counter affidavit.



4. In the nature of prayer made in the instant writ application, the Court is not inclined to grant time to the State for filing counter affidavit.

5. The writ application is disposed of with a direction to the Collector, Nalanda to consider and dispose of Jamabandi Cancellation Appeal Case No. 32 of 2022 within a period of three months from the date of receipt/production of a copy of this order after giving proper opportunity of hearing to the petitioners and other concerned, if any.

6. It is made clear that till Jamabandi Cancellation Appeal Case No. 32 of 2022 is not decided by the Collector, Nalanda, no coercive action shall be taken against the petitioners.

(Satyavrat Verma, J)

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