

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1183 of 2025

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1. Shishir Kumar Jha Son of Late Yugal Chandra Jha Permanent Resident of Village- Narayanpur, P.S.-Rajnagar, District- Madhubani at Present Resident of B2/ 150, Poonamallee High Road, Kendriya Vihar Velappanchavadi, P.S.- Thiruverkadu, District-Tiruvalur, Tamilnadu.
 2. Anuj Kumar Jha, S/o Late Yugal Chandra Jha Resident of Village- Narayanpur, P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The Collector, Madhubani.
3. The Additional Collector, Land Reforms and Revenue, Madhubani.
4. Madhubani Nagar Nigam, through Municipal Commissioner, Madhubani.
5. The Circle Officer, Rahika, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate
For the Respondent/s : Mr. Kinkar Kumar, SC-9
For the Municipal Corporation: Mr. Nilendu Kumar Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-01-2025 Heard Learned Counsel for the petitioners, Learned Counsel for the Municipal Corporation, Madhubani, and Learned Counsel for the State.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed for restraining the respondent-Municipal Corporation, Madhubani, from proceeding to construct the Tempoo/E-Rickshaw stand on the land of the petitioners and their family members.

3. Learned Counsel for the petitioner submits that



after getting information that jamabandi of the petitioner has been cancelled the petitioner has preferred appeal before the Collector under Bihar Land Mutation Act, 2011 in which final order has not been passed and last argument has been completed on 17.11.2024 and, therefore, in the meantime, the effort is being made on behalf of the corporation to take the land of the petitioners forcefully and construct Tempoo/E-Rickshaw stand.

4. Learned Counsel for the Municipal Corporation submits that as per instruction there is no construction is being made by the Municipal Corporation on the land of the petitioners after receiving the representation.

5. Learned Counsel for the State submits that petition is not maintainable here.

6. During course of argument, Learned Counsel for the petitioner also submits that he has been instructed from the client that the said appeal has been decided. The said Jamabandi Cancellation Appeal No.197/2022-23 has been decided in favour of the petitioner.

7. In this background, this Court finds that the present writ petition has become infructuous. Accordingly, it is dismissed as infructuous. The protection is being granted to the petitioner up to the extent that Municipal Corporation,



Madhubani, shall not disturb the petitioners’ possession till
finality of the litigation relating to Jamabandi Cancellation.

(Dr. Anshuman, J)

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