

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6522 of 2018**

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Vidya Nand Das son of Vishwanath Das, resident of Sanhauli, Police Station-  
Chitagupta Nagar, District- Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Commissioner, Munger Division, Munger.
3. The Collector, Khagaria.
4. The Additional Collector, Khagaria.
5. The Deputy Land Reforms Officer, Khagaria.
6. The Circle Officer, Khagaria.
7. Ratan Sinha, son of Hari Mohan Prasad Verma, resident of Village-  
Sanhauli, Police Station- Chitra Gupta Nagar, District- Patna.

... .. Respondent/s

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**Appearance :**

|                          |   |                                                                                |
|--------------------------|---|--------------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Sanjeev Ranjan, Adv.<br>Mrs. Shweta Anand, Adv.<br>Ms. Aastha Ananya, Adv. |
| For the State            | : | Mr. Dhurjati Kumar Prasad, G.P.-14                                             |
| For the Respondent No. 7 | : | Mr. Krishna Kant Singh, Adv.                                                   |

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

10    11-02-2025                      Heard Learned Counsel for the petitioner, Learned  
  
Counsel for the State and Learned Counsel for the  
  
Respondent No. 7.

2. The petitioner has filed the present writ petition for  
issuance of an appropriate writ order or direction in the nature  
of certiorari to quash the order dated 13.12.2014 passed in  
Jamabandi Cancellation Case No. 12 of 2012 by the Additional  
Collector, Khagaria, whereby the registered sale deed of the  
petitioner has been declared to be illegal and void and could not



form the basis for creation of Jamabandi and secondly the Jamabandi having was created in contravention of instructions which order is wholly without jurisdiction, arbitrary, illegal and unsustainable.

3. Learned Counsel for the State raised preliminary objection and submits that pleading of the petitioner is not correct. Counsel further submits that it has been specifically pleaded that Additional Collector, Khagaria has not declared registered sale deed to be illegal; rather, he has only canceled the Jamabandi No. 3515 (annexed as Annexure- 5) standing in the name of the petitioner. Against the said cancellation of Jamabandi, a statutory remedy is available to the petitioner under Section 9(6) of the Bihar Land Mutation Act, 2011 (Bihar Act 23, 2011) [hereinafter referred to as Bihar Land Mutation Act, 2011].

4. Learned Counsel for the private respondent submits that the final order of cancellation of Jamabandi was passed in 2014, whereas the petitioner filed the writ petition in 2018, despite the statutory appeal having to be filed within 30 days. Therefore, the writ petition should be rejected outright without any liberty.

5. It transpires to this Court that a statutory remedy is



available to the petitioner under Section 9(6) of the Bihar Land Mutation Act, 2011. Therefore, the writ petition stands disposed off, granting liberty to the petitioner to avail the statutory remedy of appeal before the concerned Collector under the Bihar Land Mutation Act, 2011.

6. It is made clear that if there is any delay in filing the Mutation Appeal, the same shall be condoned.

**(Dr. Anshuman, J.)**

Aman Kumar/-

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