

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3849 of 2024

1. Nawal Kishor Singh son of Late Darshan Singh, Resident of Kalyanpur, Basiawan, P.S.-Pipra, Patna.
2. Anjan Kumar, Son of Ambika Prasad Singh, Resident of Gate No. 51, 52, Mainpura-3, Near Ram Janki Mandir, Mainpura, Phulwari, P.O. and P.s.-Phulwarisharif, Patna.
3. Ajay Kumar @ Ajay Kumar Singh Son of Late Rajendra Singh, Resident of Kalyanpur, Basiawan, P.S.-Pipra, Patna, presently residing at Flat No. 302, Vishal Ganga Apartment Near Devi Mandir, North Anandpuri, West Boring Canal Road, P.S.-S.K. Puri, P.O.-G.P.O., District-Patna.
4. Manoj Kumar Sinha, son of Late Dwarika Prasad Sinha, C/o Q No. 60/21, Chhota Govindpur, Housing Colony, Ranchi Road, P.O.-Chhota Govindpur, Jamshedpur, Purbi Singhbhum, Jharkhand-831015. Resident of Kalyanpur, Basiawan, P.S.-Pipra, Patna.
5. Narendra Singh @ Raj Kumar Singh, son of Ram Swaroop Singh, Resident of Village and P.O.-Kalyanpur, P.S.-Pipra, District-Patna.

... .. Petitioner/s

Versus

1. The Principal Secretary, Revenue and Land Reforms Department Government of Bihar, Old Secretariat, Bihar, Patna.
2. The Director, Department of Land Reforms, Government of Bihar, Old Secretariat, Bihar, Patna.
3. The Collector-cum-District Magistrate, Patna.
4. The Additional Collector cum Additional District Magistrate, Patna.
5. The Deputy Collector Land Reforms, Patna Collectriate, Patna.
6. The District Land Acquisition Officer, Patna.
7. The Circle Officer, Punpun, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Dr. (Mr.) Anand Kumar, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-01-2025 Heard learned counsel for the petitioners and Mr. Gyan Prakash Ojha, learned GA-7 for the State.

2. Learned counsel for the petitioners submits that petitioners would be satisfied if the writ application is disposed of



with a direction to the Collector to dispose of Jamabandi Cancellation Appeal No. 48 of 2023-24 filed against the order dated 23.11.2023 in Jamabandi Cancellation Case No. 41 of 2023-24 passed by the Additional Collector within a time frame.

3. Learned counsel appearing on behalf of the State also does not dispute the said submission of the learned counsel appearing on behalf of the petitioners.

4. At this stage, learned counsel appearing on behalf of the petitioners draws the attention of the Court to submit that aforesaid Jamabandi cancellation case was instituted based on the recommendation of the Circle Officer, Punpun, district Patna contained in letter no. 1025 dated 03.06.2023 addressed to the Additional Collector, Patna wherein it was recorded that on oral direction of the Collector the Jamabandi relating to land pertaining to Thana No. 27, Mauza Wajitpur, Khata No. 73, Khesra No. 423, area 1.3 acres be cancelled.

5. Learned counsel for the petitioners thus submits that from perusal of letter dated 03.06.2023, at page 71 of the writ application, issued by the Circle Officer, Punpun, it manifests that Jamabandi of the petitioners stood cancelled by the Additional Collector based on oral direction of the Collector as such whether petitioners would get any relief from the Collector at whose behest the said order cancelling Jamabandi was passed. It is further



submitted that though Jamabandi of the petitioners has been cancelled but then Jamabandi standing in the name of the petitioners was created from the earlier Jamabandi created in the name of their grandfather and grandmother etc.

6. Learned counsel appearing on behalf of the State submits that since appeal has been filed by the petitioners before the Collector as such the Collector would pass order only after considering the case on merits as such the apprehension of the petitioners is unfounded. It is further submitted that if petitioners had any apprehension in that event they would not have moved before the Collector by filing the aforesaid appeal.

7. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the Collector, Patna to dispose of Jamabandi Cancellation Appeal No. 48 of 2023-24 within a period of three months from the date of receipt/production of a copy of this order.

8. The Court expects that no coercive steps shall be taken against the petitioners till the appeal is not decided by the Collector.

(Satyavrat Verma, J)

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