

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3190 of 2025

1. Sita Ram Yadav Son of Late Monahi Yadav resident of Village- Sarojabela, Police Station- Marauna, District- Suapul.
2. Radheshyam Yadav, Son of Late Ramchandra Yadav resident of Village- Sarojabela, Police Station- Marauna, District- Suapul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayat Raj Department, Government of Bihar, Patna- 800015.
2. The Principal Secretary, Panchayat Raj Department, Government of Bihar, Patna- 800015.
3. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
4. The Collector, Supaul.
5. The District Panchayat Raj Officer, Supaul.
6. The Additional Collector, Supaul.
7. The Block Development Officer, Block Marauna, District- Supaul.
8. The Circle Officer, Marauna, District- Supaul.
9. The Circle Amin, Marauna, District- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate
For the Respondent/s : Mr.Government Pleader (27)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-03-2025 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief/s :-

*“(i) For issuance of an appropriate
order, directing or writ in the nature of
CERTIORARI for quashing Notice dated*



01.01.2025 (Annexure- P/7) passed in Jamabandi Cancellation Case No.133/2024-25 by Additional Collector, Supaul to petitioners to appear on dated 16.01.2025 and produce evidence and their defense.

(ii) For further issuance of order, direction or writ for declaration that petitioners are Raiyat of the land Gairmajarua Khas Land, Mauza- Sarojaibela, Thana No. 110, Khata No. 285. 851 Jadid, Khesra No. 5835, 5837 total Area- 1.0.0.0 Bigha, Circle + Block- Marauna, District -Supaul.”

3. Learned counsel for the petitioners submits that the land in question is raiyati land belonging to the petitioners, as it is in the nature of 'Gair Majarua Khas.' The land was allotted to the petitioners' grandfather by the zamindar. The current rent receipt is being issued in the name of the petitioners. Learned counsel further submits that a special notice for the cancellation of the Jamabandi was issued to the petitioners on 01.01.2025 by the Additional Collector, Supaul, in Jamabandi Cancellation Case No. 133/2024-255.

4. Learned counsel for the State submits that the State Government has issued Resolution dated 11.11.2014 vide Memo No. 925(6) under which *Gair Majarua Khas* land may be treated as *raiya*ti land under certain circumstances. Learned



counsel for the State further submits that, instead of appearing in Jamabandi Case No. 133/2024-25, the petitioners have approached this Court seeking relief against the cancellation notice.

5. In light of the submissions made, this Court is of the firm view that under the Bihar Land Mutation Act, 2011, the Additional Collector is the competent authority to initiate proceedings for Jamabandi cancellation, as is evident in the present case, bearing Jamabandi Case No. 133/2024-25. The Additional Collector has rightly issued notices calling upon the petitioners to submit their reply. This Court is also of the opinion that, in accordance with the resolution dated 11.11.2014 issued vide Memo No. 925(6) by the Revenue and Land Reforms Department, Government of Bihar, 'Gair Majarua Khas' land may be treated as *raiya* land if it fulfills the criteria set forth in the said Resolution.

6. In this background, the writ petition stands disposed of with a direction to the petitioners to appear before the Additional Collector, Supaul, in Jamabandi Cancellation Case No. 133/2024-25. The Additional Collector is further directed to pass a reasoned and speaking order after reviewing all the relevant documents produced by the petitioners before



him/her, within 90 days from the date of production or receipt of
a copy of this order.

(Dr. Anshuman, J)

Ashwini/-

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