

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8221 of 2025

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1. Bharosi Yadav Son of Raghu Yadav, Residence of Village- Manpur, P.O- Nariyana, P.S.- Khaira, District- Jamui.
 2. Brahamdev Yadav Son of Bharosi Yadav, Residence of Village- Manpur, P.O- Nariyana, P.S.- Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, P.O- Sachivalay, P.S.- Sachivalay, District- Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department Govt. of Bihar, Patna, At- Vikash Bhawan, P.S.- Shashtri Nagar, District- Patna.
3. The District Magistrate, Jamui, At P.O., P.S. and District- Jamui.
4. The Additional District Magistrate, Jamui, At P.O., P.S. and District- Jamui.
5. The Circle Officer, Khaira, At P.O., P.S. Khaira, District- Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sinha
For the Respondent/s	:	Mr. Birju Prasad, GP-13
		Mrs. Shweta Anand, AC to GP-13

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2025 1. Heard learned counsel for the petitioners and learned GP-13 for the State.

2. The learned counsel appearing on behalf of the petitioners submits that Jamabandi No. 1341 was standing in the name of the petitioner no. 1 with respect to land pertaining to Thana No. 108, Tauzi No. 346, Khata No. 193, Khesra No. 1460 Area 2 acres and 25 decimal at Mauza-Bela. It is submitted that petitioners had purchased the land in dispute from the sons of Jamabandi Raiyat namely Prabhu Narayan through registered



Sale Deed No. 2681 dated 16.04.2008 and thereafter got the land mutated in their name and accordingly the aforesaid Jamabandi was created and the State of Bihar started accepting rent. It is further submitted that the land in dispute originally belonged to one Nageshwar Prasad and Dwarika Prasad in whose name Jamabandi No. 24 was created, as such, the instant Jamabandi created in name of the petitioners is an offshoot of Jamabandi No. 24. It is further submitted that the ADM, Jamui by his order dated 30.11.2024 in Jamabandi Cancellation Case No. 177 of 2024 cancelled the Jamabandi No. 1341 standing in the name of the petitioners against which the petitioners have filed Jamabandi Cancellation Appeal No. 53 of 2025 which is pending adjudication in the Court of Collector, Jamui.

3. The learned counsel for the petitioners next submits that on one hand, the Jamabandi cancellation appeal is pending while on the other hand, the authorities have descended on the land and have kept material for the purposes of constructing a hostel, as such, the petitioners feel threatened that they will be ousted from their land without their appeal being considered. It is also submitted that petitioners have statutory remedy of assailing the order of cancellation of Jamabandi upto BLT.

4. The learned counsel appearing on behalf of the



State submits that that the case can be disposed of with a direction to the Collector, Jamui to decide Jamabandi Cancellation Appeal No. 53 of 2025 within a time frame.

5. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the Collector, Jamui to dispose of the Jamabandi Cancellation Appeal No. 53 of 2025 within a period of four months from the date of receipt/production of a copy of this order, after giving proper opportunity of hearing to the petitioners.

6. It is made clear that till Jamabandi Cancellation Appeal No. 53 of 2025 is not disposed of by the Collector, Jamui, till then no coercive action shall be taken by the authorities against the petitioners.

(Satyavrat Verma, J)

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