

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19360 of 2024

-
1. Ayuv alias Md. Ayub S/o Late Md. Sahev Jan, Resident of Village - Mahatha, Ladaniyan, P.S.- Ladaniyan, District - Madhubani.
 2. Md. Ashraf, S/o Late Md. Vilat @ Late Md. Vilat Mansuri @ Late Md. Vilat Miya, Resident of Village - Mahatha, Ladaniyan, P.S. Ladaniyan, District - Madhubani.
 3. Asgar alias Md. Asagar, S/o Late Md. Vilat @ Late Md. Vilat Mansuri @Late Md. Vilat Miya, Resident of Village- Mahatha, Ladaniyan, P.S.- Ladaniyan, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Madhubani.
2. The District Magistrate, Madhubani.
3. The Circle Officer, Ladaniyan, Madhubani.
4. Ram Nath Yadav, Son of Late Satan Yadav, Village- Mahatha Bengatola, P.S. - Ladaniyan, District - Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Hriday Kant Mishra, Advocate
For the Respondent/s : Mr.Standing Counsel 24

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 07-01-2025 1. Though the present petition has been filed for quashing the order dated 29.07.2024, passed by the District Magistrate, Madhubani, whereby and whereunder the Baskit Parchas issued to the petitioners, vide Case No.25 of 1980-81 and Case No.01 of 1987-88 has been sought to be questioned and the Circle Officer, Ladaniyan, Madhubani has been directed to move a proposal for cancellation of the same, however, at the outset, the learned counsel for the petitioners submits that before canceling the Baskit Parchas in question, appropriate show



cause notices are required to be issued to the petitioners, opportunity is required to be granted to the petitioners to file their objections and only then appropriate orders can be passed by the concerned authority, in accordance with law, hence the petitioners be protected till the respondent-State authorities cancel the Baskit Parchas issued to the petitioners, if so warranted.

2. This Court finds from a bare perusal of the order dated 29.07.2024, passed by the District Magistrate, Madhubani that he has directed the Circle Officer, Ladaniyan, Madhubani to move a proposal for canceling the Baskit Parchas, issued in favor of the petitioners, vide Baskit Parcha Case No.25 of 1980-81 and Baskit Parcha Case No.01 of 1887-88, appertaining to the land situated at Mauza-Mahta, Cicle, Ladaniyan, District-Madhubani, appertaining to Khata No.365, Khesra No.970, however, till date it appears that no proposal for cancellation of the aforesaid Baskit Parchas in question have been moved by the Circle Officer, Ladaniyan, Madhubani. Nonetheless, this Court directs that in case the respondent-State authorities propose to cancel the Baskit Parchas in question, it would be incumbent upon them to first issue show cause notices to the petitioners, call for their objections and only after considering the same, in accordance with law, appropriate orders shall be



passed and till then no coercive action shall be taken against the petitioners.

3. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Saurav/-

U			
---	--	--	--

