

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20469 of 2025

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1. Shri Hari Shankar Singh @ Harishankar Singh Son of Sukhdev Singh, Village-Chhota Bariyarpur, PS-Chatauni, PO-Bariyarpur, Motihari, District-East Champaran, Bihar-845401.
 2. Smt. Rinku Rani, Wife of Harishankar Singh, Village-Chhota Bariyarpur, PS-Chatauni, PO-Bariyarpur, Motihari, District-East Champaran, Bihar-845401.
 3. Naval Kishor Singh, son of Sukdeo Singh, Village-Mathurapur, PO-Mathurapur, PS-Turkauliya, District-East Champaran, Bihar-845429.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The Collector cum District Magistrate, Motihari, East Champaran.
3. The Additional District Magistrate cum Additional Collector, Motihari, East Champaran.
4. The Circle Officer, Motihari, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manu Tripurari, Advocate.

Mr. Apurv Harsh, Advocate.

Mr. Raghu Raj Pratap, Advocate.

For the Respondent/s : Mr. Dharjati Kumar Prasad, GP 14.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 24-12-2025 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“For issuance of a writ of Certiorari or any other appropriate writ, order or direction to quash the order dated 01.12.2025 passed by the Additional District Magistrate-cum-Additional



Collector, East Champarn, Motihari, whereby proceedings bearing Jamabandi Cancellation Suit No. 159/2025-26 have been initiated to cancel the petitioners' longstanding jamabandi, based on the Circle Officer, Motihari's recommendation made vide abhilekh Sankhya 80/2025-26.

(ii) for issuance of a writ or any other appropriate order or direction that there should be stay of the Jamabandi Cancellation Case No. 159 of 2025-26 till the pendency of the present writ petition."

3. Learned counsel appearing on behalf of the petitioner submits that the authorities have issued the impugned notice dated 01.12.2025 (Annexure P/3) directing the petitioner to appear before the said authority for cancellation of the *Jamabandi* which is standing in the name of the petitioner and his predecessors since last more than 40 years. Learned counsel submits that the authorities have issued the impugned notice with a mala fide intention and are targeting the family of the petitioner. That the said notice is contrary to the judgment of this Hon'ble Court passed in the case of the ***State of Bihar through the Collector, Siwan & Ors Vs. Harendra Nath Tiwari*** reported in ***(2015) 1 PLJR 606*** dated 07.01.2015. Learned counsel submits that the petitioner has submitted his show-cause to the said notice dated 01.12.2025 but the authorities in a predetermined manner are trying to take coercive actions against



the petitioner and in all likelihood are going to pass adverse orders against the petitioner. Learned counsel, therefore, prays this Hon'ble Court to stay the impugned notice.

4. Per contra, the learned counsel appearing on behalf of the Respondent-State has vehemently opposed the very maintainability of the present writ petition. Learned counsel has submitted that the petitioner is only challenging the show cause notices. That the petitioner has to appear before the authority and file his explanation to the said show cause notice and he has already done. That the petitioner without awaiting the passing of the final orders has approached this Hon'ble Court to preempt the authorities from passing any order. Learned counsel has, therefore, prayed this Hon'ble Court to dismiss the present writ petition.

5. Admittedly, in the present case, the petitioner has challenged the show cause notice dated 01.12.2025 issued to him whereby the petitioner was directed to file his explanation to the said show-cause notice and appear before the authorities on 08.12.2025.

6. Learned counsel appearing on behalf of the petitioner submits that pursuant to the said show-cause notice, the petitioner has submitted his explanation, however, till date



the final orders have not been passed.

7. Having regard to the same, this Court is not inclined to entertain the present writ petition, the authority is directed to pass final orders duly taking into consideration the show cause filed by the petitioner and also giving an opportunity of hearing to the petitioner. Any orders passed shall be communicated to the parties. Till such time the final orders are passed, the authorities are directed not to take any coercive steps against the petitioner.

8. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

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