

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5083 of 2023

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Malti Devi W/o Shyam Narayan Ram Resident of Choti Badalpura, P.S.-
Khagaul, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Collector, Patna.
4. The Additional Collector, Patna.
5. The Deputy Collector, Land Reforms, Danapur, Patna.
6. The Circle Officer, Danapur, Distt.- Patna.
7. Shyam Narayan Ram, S/o Late Ram Ghulam Ram Resident of Vill.- Choti Badalpura, P.O. and P.S.- Khagaul, Distt.- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kashyap, Adv.
For the Respondent/s : Mr. Navnit Kumar AC to Gp 18

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 28-07-2026 Heard the parties.

2. The present application has been preferred for the
following relief(s):

(i) for issuance of appropriate writ(s) thereby quashing and setting aside the notice dated 22.11.2022 in Jamabandi Cancellation Case no.- 198/2022-23 issued by the Court of Addl. Collector, Patna thereby directing the petitioner to participate into the proceedings of the case for cancellation of her Jamabandi in Mutation



Case no.-4845/2019-20 made in favour of the petitioner for the land at Mouza-Badalpura, Thana no.-52, Khata no.- 200, Plot no.- 212 (part), Area-4.7 decimal which is a Gair Mazarua Malik land as recorded in the khatian settled by Ex-Landlord late Dwarkanath on 03.07.1944 in favour of one Late Gopal Prasad Singh, S/o Late Nand Singh, Resident of Vill. Choti Badalpura, P.S.- Khagaul, Distt.- Patna, Last Resident of Bihari Bigha, P.S.- Barh, Distt.- Patna who vide the deed of the Power of Attorney dated 19.05.2011 gave the Power of Attorney for 47 decimal of land bearing Khata no.-202, Plot no.-212 in favour of Shyam Narayan Ram (Petitioner's husband) Respondent no. 7, S/o Late Ram Gulam Ram, Resident of Vill.-Choti Badalpura, P.S.- Khagaul, Distt.- Patna who subsequently vide Sale Deed dated 10.08.2019 sold the Part Plot no.-212 measuring 4.6875 (4.7) decimal of land in favour of the petitioner who got mutated her name started paying upto date rent to the state and came in peaceful right, title and possession of the same.

(ii) For further issuance of appropriate writ(s) thereby quashing the recommendation dated 30.07.2022 given by the Respondent Circle Officer, Danapur, Patna in Jamabandi Cancellation Case no.-



*04/2022-23 (State vs. Sunita Devi & ors.)
thereby recommending for cancellation of
petitioner's jamabandi in Mutation Case no.
4845/2019-20 for the land at Mouza-
Badalpura, Thana no.-52, Khata no.-200,
Plot no.-212 (Part) being illegal, void and
without jurisdiction.*

*(iii) For declaration that the
petitioner's said land which is a Gair
Mazarua Malik in nature as per the Last
Survey Khatian, the cancellation of
jamabandi cannot be sustained in law as per
Respondent's own circular and Resolution.*

*(iv) For stay of the further
proceeding in Jamabandi Cancellation Case
no. 198/2022-23 with respect to the
petitioner's land pending in the Court of
Addl. Collector, Patna.*

*(v) For grant of any other relief (s)
which the petitioner may be entitled to in the
facts and circumstances of the case.*

3. Learned counsel for the petitioner submits that it will suffice if her Jamabandi Appeal Case No. 115 of 2025-26 is disposed of which is presently pending before the Collector, Patna.

4. Learned State Counsel has no objection.

5. Let the Collector, Patna (respondent no. 3) dispose of the Jamabandi Appeal Case No. 115 of 2025-26 (Malti Devi



vs. Collector) after hearing all the parties in accordance with law at an earliest.

6. The writ petition is disposed of with aforesaid observation.

(Rajiv Roy, J)

Vijay Singh/-

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