

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8052 of 2026

=====

Nawal Kishore Singh Son of Late Ram Balak Singh, Resident of Village-
Tetua, P.S.- Atri, District- Gaya Ji.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary, Department of Land Reform and Revenue, Bihar, Patna.
2. The Additional Chief Secretary, Department of Land Reform and Revenue, Bihar, Patna.
3. The District Magistrate, Gaya Ji.
4. The Additional Collector, Gaya Ji.
5. Deputy Collector Land Reform, Neemchak Bathani, Gaya Ji.
6. Circle Officer, Atri, Gaya Ji.
7. Ashwini Kumar Singh, Son Late Vinod Singh, Resident of Village- Sahiyadpur, P.S. Atri, District- Gaya Ji.
8. Mahesh Manjhi, Son of Late Jamuna Manjhi, Resident of Village- Tetua Tandpar, P.S.- Atri, District- Gaya Ji.
9. Gauri Shankar Singh, Sons of Late Hardip Singh, Resident of Village- Punarh, P.S.- Atri, District- Gaya Ji.
10. Baiju Singh, Sons of Late Hardip Singh, Resident of Village-Punarh, P.S.- Atri, District- Gaya Ji.
11. Siyaram Singh, Sons of Late Hardip Singh, Resident of Village-Punarh, P.S.- Atri, District- Gaya Ji.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Adv. Ms. Chandni Kumari, Adv. Ms. Sakshi Kumari, Adv.
For the State	:	Ms. Archana Meenakshee, GP-6 Mr. Rana Veer Prawar, AC to GP-6 Mr. Harish Singh, AC to GP-6



CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL JUDGMENT

Date : 01-07-2026

Heard the learned counsel for the parties.

2. By preferring the present writ application, the petitioner has prayed for issuance of a direction to the District Magistrate-Cum-Collector, Gaya Ji (respondent No. 3) to expeditiously decide Appeal No. 09 of 2022, pending before him since 2022 against the order dated 09.02.2022 passed by the Additional Collector, Gaya Ji, in Jamabandi Cancellation Nos. 23/19-20/36/20-21.

3. The learned counsel for the petitioner submits that the petitioner has purchased a piece of land in the year 2003 situated in Mauza-Tetua, Khata No. 179, Plot No. 1163, P.S.-Atri, District-Gaya Ji having an area of 13 decimal from Jamuna Manjhi through a registered sale-deed dated 11.09.2003. Thereafter, he filed an application for getting the same mutated in his name *vide* Mutation Case No. 208 of 2006 before the Circle Officer, Atri, Gaya Ji and accordingly, after due verification and completing all the necessary formalities, *Jamabandi* was created in his name and rent receipt was issued and since then, he has been paying rent on regular basis.



4. The learned counsel for the petitioner further points out that another person, namely, Hardeep Singh said to have purchased the land from Bakhari Ram, who claimed himself to be the purchaser of the said land from Vishun Manjhi, Son of Jagmohan Manjhi in connection with the same piece of land which the petitioner claimed to have purchased from Jamuna Manjhi, Son of Vishun Manjhi.

5. Having come to know about the aforesaid purchase and *Jamabandi* accordingly being run in their name, the petitioner approached the Additional Collector, Gaya Ji under Section 9 of the Bihar Land Mutation Act, 2011 (*in short the Act of 2011*) for cancellation of the aforesaid *Jamabandi*.

6. The Additional Collector, Gaya Ji, after having heard all the parties connected to the aforesaid proceeding of *Jamabandi* cancellation case, rejected the application of the petitioner vide order dated 09.02.2022 and furthermore, he also issued a direction to cancel the *Jamabandi* of the petitioner in connection with the aforesaid land, the matter of which was not pending before him.

7. Against the aforesaid order dated 09.02.2022, passed in Jamabandi Cancellation Nos. 23/19-20/36/20-21, the petitioner preferred an appeal in terms of Section 9(6)(a) of the



Act before the District Magistrate-Cum-Collector, Gaya Ji within time in the year 2022 itself, but the same has not been decided till date by the District Magistrate-Cum-Collector, Gaya Ji (respondent No. 3).

8. The mandate of law, as stipulated in Section 9 of the Act of 2011, empowering the Collector to decide the appeal passed against the order passed by the Additional Collector in matter relating to cancellation of *Jamabandi* mandates him to hear the matter expeditiously in order to settle the land dispute between the parties which is the main cause of generation of litigation at various levels. In the case, at hand, the appeal has been preferred by the petitioner well within time, *i.e.*, almost three years ago, but till date, that appeal has not even been decided by the District Magistrate-Cum-Collector, Gaya Ji.

9. Ms. Archana Meenakshee, the learned GP-6, at the very outset, objects to the contentions made on behalf of the petitioner by stating that the present writ application is not maintainable in view of the statutory provision of preferring an appeal as provided under Section 9 of the Act of 2011. It has further been submitted that since the petitioner has already preferred an appeal before the District Magistrate-Cum-



Collector, Gaya Ji *vide* Appeal No. 09 of 2022, he has no locus to file the present case during the pendency of the said appeal.

10. After having heard the parties and having perused the relevant documents appended with the writ application, it is evident that the issue is not with respect to filing an appeal before the District Magistrate-Cum-Collector and during the pendency of which the petitioner could not approach this Court under writ jurisdiction, but is rather a totally different one, but rather his main grievance is that of non-disposal of the said appeal in spite of the lapse of three years of its filing.

11. The petitioner has come to this Court solely with a prayer that he had already preferred an appeal before the District Magistrate-Cum-Collector, Gaya Ji (respondent No. 3) against the order passed by the Additional Collector, Gaya Ji way-back in the year 2022. Thus, the learned counsel appearing on behalf of the petitioner submits that he would be satisfied if the District Magistrate-Cum-Collector, Gaya Ji (respondent No. 3) consider the appeal preferred by him in right earnest and dispose of the same on merits without any further delay.

12. In this backdrop, the District Magistrate-



Cum-Collector, Gaya Ji (respondent No. 3) is, hereby, directed to decide the appeal on merits after having examined all the facts brought before him by the concerned parties and having given proper opportunity of hearing to all of them. It is expected from the District Magistrate-Cum-Collector, Gaya Ji that he will pass a positive and determinative order, adjudicating the claim of the petitioner as also the rival claim of the respondents within a period of three months from the date of receipt/production of a copy of this order strictly adhering to time limit so mandated hereinabove.

13. With the aforesaid observation/direction, the writ petition stands disposed off.

14. Interlocutory application(s), if any, also stands disposed off accordingly.

15. Let a copy of this order be transmitted to the District Magistrate-Cum-Collector, Gaya Ji (respondent No. 3) forthwith for necessary compliance thereof.

(Rana Vikram Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	02.07.2026
Transmission Date	N/A

