

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8652 of 2026

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Binod Yadav, Son of Late Naurangi Yadav, Resident of village- Mangrar,
P.O.- Diggi, Block- Laxmipur, P.S.- Mohanpur. District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Jamui.
3. The Additional District Magistrate, Jamui.
4. The Sub-Divisional Officer, Jamui.
5. The Deputy Collector of Land Reforms, Jamui, District- Jamui.
6. The Circle Officer, Laxmipur Anchal, District-Jamui.
7. Hukumdev Narayan Yadav, Son of Yugal Kishor Yadav, Resident of village- Mangrar, P.O.- Diggi, Block- Laxmipur, P.S.- Mohanpur, District- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Onkar Kumar, Adv.
For the Respondent/s : Mr. Vinay Kirti Singh, GA-2
Mr. Venkatesh Kirti, JC to GA-2

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CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH

ORAL JUDGMENT

Date : 29-06-2026

Heard Mr. Onkar Kumar, the learned Advocate
for the petitioner and Mr. Vinay Kirti Singh, the learned GA-2
for the State, assisted by Mr. Venkatesh Kirti, learned JC to
GA-2.



2. The petitioner has directly approached this Court against an order dated 22.04.2026 passed by the Additional District Magistrate-cum-Additional Collector, Jamui (respondent No. 3) in Jamabandi Cancellation Case No. 311/2024-25, whereby the respondent No. 3 has cancelled the Jamabandi No. 16/76 created in the name of the father of the petitioner pertaining to the land situated in Mauza-Mangrar, Khata No. 21, Plot No. 01, Tauzi No. 445 and Thana No. 209 having an area of 8.61 acres.

3. The learned counsel for the petitioner highlights the conduct of respondent No. 3, *i.e.*, the Additional District Magistrate, Jamui, who did not give proper hearing to the petitioner in spite of having issued notice to him. It has also been submitted that the case and the documents produced on behalf of the petitioner were not considered, at all, while passing the order impugned.

4. The learned counsel appearing on behalf of the State submits that though there is a provision for statutory appeal against the order passed by the respondent No. 3, *i.e.*, the Additional District Magistrate-cum-Additional Collector, Jamui, but the petitioner has not availed that statutory remedy and has directly approached this Court. Hence, it has been



submitted that the present writ application is not maintainable at this stage.

5. The respondent No. 3, *i.e.*, the Additional District Magistrate, Jamui has passed the order impugned, which is appealable one. Clause (6) (a) of Section 9 of the Bihar Land Mutation Act, 2011 (*in short the Act of 2011*) stipulates that an appeal against the order of the Additional Collector shall lie with the Collector of the district within thirty (30) days of the order appealed against; Clause (6) (b) of Section 9 of the Act of 2011 provides that the Collector of the district may condone the delay in filing appeals provided he is satisfied that there are sufficient reasons for the delay and Clause (6) (c) of Section 9 of the Act of 2011 lays down that the Collector of the district shall not pass any order modifying, altering or setting aside the order appealed against unless the concerned parties have been given a reasonable opportunity of being heard.

6. The petitioner has recourse to a very categorical and definite provision for appeal against the order passed by the Additional Collector, cancelling the long standing *Jamabandi* of the petitioner, which has been running, as claimed, since 1976 in the name of the petitioner's father.



7. The petitioner, under the aforesaid circumstance, is at liberty to file an appeal before the Collector, Jamui in terms of Clause (6) (a) of Section 9 of the Act of 2011 within a period of three weeks henceforth and on such an appeal being filed before the Collector, Jamui, he is duty bound to hear the appeal within the stipulated period after giving opportunity of hearing to all the concerned, which is the mandate of the law.

8. The Collector, Jamui shall pass a speaking order positively deciding all the issues raised before him and if on appreciation of the evidence produced before him and the documents examined, an enquiry report, if any required by him, convinces him that the order passed by the Additional Collector is not in accordance with law, the Collector, Jamui will take all necessary steps to rectify such mistakes, if any, as has been committed by the Additional Collector within a period of six weeks thereafter.

9. At this stage, the learned Advocate for the petitioner highlights that in terms of the order impugned passed by the Additional Collector, Jamui, the petitioners are being threatened to be dispossessed. Since this Court is disposing off the present writ application with a liberty to the



petitioner to file an appeal before the Collector within a period of three weeks from today, the petitioner is also accorded a liberty to file an interim application before the Collector, Jamui, pointing out the alleged dispossession and if such an application is filed by the petitioner, the Collector, Jamui will consider the same within three days from the date of such filing and will take necessary action after having heard the parties concerned.

10. The writ application stands disposed off accordingly.

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

(Rana Vikram Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	30.06.2026
Transmission Date	N/A

