

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15111 of 2023

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Lakshman Yadav Son of Late Sant Lal Yadav, Resident of Village-
Pokharsame, P.O.- Milki Chak, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms
Department, Govt. of Bihar, Patna.
2. The Collector, Darbhanga.
3. The Additional Collector, Darbhanga.
4. The Circle Officer, Sadar, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jitendra Pd. Singh, Sr. Advocate Mr. Chandra Mohan Jha, Advocate Mr. Venkatesh Kaushik, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-04-2026 Heard Mr. Jitendra Prasad Singh, learned Senior
Counsel for the petitioner and the State.

2. The present petition has been preferred for the
following relief/s:

*(i) for setting aside the order dated
28.6.2022 passed by the Additional
Collector, Darbhanga in Jamabandi
Cancellation Case No.96 of 2021-22 by
which, in exercise the power Under Section
9 of the Bihar Land Mutation Act, 2011, he
has cancelled the long standing Jamabandi*



No.193 without appreciating and considering the legal as well as factual aspect of the matter;

(ii) for direction to the respondent to restore the Jamabandi No.193 standing in the name of the petitioner as the petitioner is in possession over the land in question being the title holder;

(iii) for grant of any other relief/reliefs for which the petitioner is legally entitled in the facts and circumstances of the case.

3. At the outset, learned Senior Counsel submits that an appeal has been preferred vide appeal no. 141 of 2022 which is pending before the learned Collector, Darbhanga (respondent no.2).

4. The submission is that he be allowed to pursue the said appeal with a direction to the said respondent to expedite the same.

5. He submits that in similar case of Bansi Lal Yadav Vs. The State of Bihar (in C.W.J.C. No. 14311 of 2023) disposed of on 06.02.2024 by a coordinate bench, the matter has been sent to the Collector, Darbhanga to decide the Jamabandi



Cancellation Appeal No. 140 of 2022.

6. Learned counsel has no objection.

7. Paragraphs 6 and 7 of the order passed in Bansi Lal Yadav (supra) read as follows:

6. in the aforesaid facts and circumstances, the petitioner is directed to pursue the appeal filed under Section 9(6) of the Bihar Land Mutation Act, 2011, bearing Jamabandi Cancellation Appeal No. 140 of 2022, which is pending before the court of learned Collector, Darbhanga (Respondent No. 2), in accordance with law;

7. the Collector. Darbhanga (Respondent No. 2) is directed to dispose of Jamabandi Cancellation Appeal No. 140 of 2022, in accordance with law, after hearing the parties, preferably within a period of three months from the date of receipt/production of a copy of this



order;

*(iii) with the aforesaid observations
and directions, this writ application
stands disposed of.*

8. In that background, following the same route, the writ petition is disposed of allowing the petitioner to agitate/place his before the Collector, Darbhanga in Appeal No. 141 of 2022 who shall be hearing the parties and shall pass an appropriate order in accordance with law preferably within a period of three months as in line with the order passed in the case of **Bansi Lal Yadav** (supra).

(Rajiv Roy, J)

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