IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17221 of 2026
CNR No. BRHC011096602026

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1. Ravindra Yadav Son of Late Shiv Kumar Yadav @ Shiv Kumar Singh, Resident of Village- Mahmada, P.O. Phurhuriya, Mangrawan, P.S. Paraiya, District - Gayaji.
2. Jitendra Yadav @ Jitendra Kumar, Son of Late Shiv Kumar Yadav @ Shiv Kumar Singh, Resident of Village- Mahmada, P.O.- Phurhuriya, Mangrawan, P.S.- Paraiya, District - Gayaji.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Gayaji.
3. The Additional Collector-cum-Additional District Magistrate, Gayaji.
4. The Circle Officer, Paraiya, District- Gayaji.
5. The Officer-in-Charge, P.S. Paraiya, District- Gayaji.
6. Sudheshwar Manjhi, Son of Late Govind Manjhi, Resident of Village- Pipra, Tola-Mahaddichak (Chandan Kiyari), P.S. - Paraiya, District - Gayaji, at present Resident of Village- Ahiyapur, P.O.-Rurmawan, P.S.- Cherki, District - Gayaji (Bihar).

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Raj Kishore Roy, Advocate
For the Respondent/s : Mr. Ram Niwas Prasad, GA-15
Mr. Vishwambhar Prasad, AC to GA-15

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 19-11-2026

Heard learned Counsel for the petitioners and learned Counsel for the State.

2. The present writ petition has been filed by the petitioners with the following reliefs:-

"(i). For issuance of an appropriate order/s, direction/s

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including a writ preferably in the nature of CERTIORARI, for quashing the impugned order dated 15.09.2026 (Annexure P/5) passed by the learned Additional Collector-cum-Additional District Magistrate, Gayaji in Jamabandi Cancellation Case No. 193/2025-26 titled "Sudheshwar Manjhi vs. State of Bihar through Anchal Adhikari, Paraiya, Gaya & Ors." under Section 9 of the Bihar Land Mutation Act, 2011, whereby and whereunder Jamabandi Nos. 351 and 352 standing in the names of the petitioners, in respect of land appertaining to C.S. Khata No. 425, C.S. Plot Nos. 1705, 1706, 1707/2390 and 1739/2391 situated in Mauza Mangrawan, Thana No. 84, Anchal Paraiya, District Gaya, have been cancelled and the Circle Officer, Paraiya has been directed to carry out corresponding corrections in the jamabandi records.

(ii) For a direction upon the Respondent 1st Set, particularly the Circle Officer, Paraiya to maintain Jamabandi Nos. 351 and 352 in the names of the petitioners and to continue to accept rent from the

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petitioners and issue rent receipts in their favour without disturbing the physical cultivating possession of the petitioners over the land in question till the final disposal of this Writ Petition.

(iii) For stay of the operation of the order dated 15.09.2026 passed in Jamabandi Cancellation Case No. 193/2025-26 (Annexure- P/5) during the pendency of this Writ Petition.

(iv) For a direction upon the Respondent Nos. 1 to 5 to ensure that the petitioners are not dispossessed of the land in question and to provide necessary protection to the petitioners.

(v) For a direction upon the Respondent Nos. 1 to 6 not to cause any damage to the standing crops on the land in question during the pendency of this Writ Petition.

(vi) For issuance of any other relief / reliefs, interim relief/ reliefs for which the petitioners are found entitled to."

3. Learned Counsel for the State raised preliminary objection and submits that the order under challenge is appealable before the appellate forum under the Bihar Municipal

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Act, 2011. As such, he submits that the petitioner ought to file the appeal before the appellate forum.

4. In the light of the submissions made, this Court disposes off the instant writ petition granting liberty to the petitioner to avail the remedy of appeal before the appellate forum under the statue.

5. It is made clear that there is a time frame for filing appeal and due to pendency of the writ petition, the said time has lapsed. Therefore, it is directed to the Appellate Court to entertain the appeal and delay, if any, is directed to be condoned.

6. It is also made clear that in the writ petition the prayer for stay of the operation of the order dated 15.09.2026 passed in Jamabandi Cancellation Case No.193/2025-26 during the pendency of the writ petition has been made. Hence, the Appellate Court prior to proceed shall pass order on the question of stay also. The appeal shall be decided at the earliest.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Date of Pronouncement	19.11.2026
Uploading Date	20.11.2026
Transmission Date	NA

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