

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19248 of 2025

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Mohan Ram Son of Late Gajo Ram @ Jago Ravidas Resident of village-
Dharahara Khurd, Post Office- Charokhari Garh, P.S.- Fatehpur, District-
Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Patna.
3. The Principal Secretary, Department of Cooperative, Government of Bihar, Patna.
4. The Registrar, Department of Cooperative, Government of Bihar, Patna.
5. The Collector cum District Magistrate, Gaya Jee.
6. The District Cooperative Officer, Gaya Jee.
7. The Additional Collector cum Additional District Magistrate, Gaya jee.
8. The Deputy Collector Land Reforms, Gaya Jee.
9. The Sub Divisional Officer, Gaya Jee.
10. The Sub Divisional Public Grievance Redressal Authority, Gaya Jee.
11. The Circle Officer, Fatehpur Circle, District Gaya Jee.
12. The Circle Inspector, Fatehpur Circle, District Gaya Jee.
13. The Anchal Amin, Fatehpur Circle, District Gaya Jee.
14. The Chairman, PACS, Dharahara Kala Gram Panchayat Samiti, Fatehpur, District Gaya Jee.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Siya Ram Shahi, Adv. Mr. Om Prakash Maharaj, Adv.
For the Respondent/s	:	Mr. Subodh Kumar, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 21-04-2026 Heard the parties.

I.A. No. 02 of 2026

2. The aforesaid I.A. has been preferred for seeking
amendment in the main writ application bringing on the record the



proposal of Jamabandi cancellation No. 2 dated 09.12.2025 forwarded by Letter N. 1337 dated 09.12.2025 under the signature of C.O. Fatehpur Gaya as well as the order sheet of Jamabandi Cancellation Case No. 405/2025 -26.

3. In view of the facts that are part of the writ petition, learned State Counsel has no objection.

4. I.A. No. 02 of 2026 is allowed.

5. Let the amendment be part of the main writ petition.

CWJC No. 19248 of 2025

6. Heard the parties.

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

(i) For issuance of an appropriate writ in the nature of Certiorari in quashing the Letter No. 744 dated 01.07.2025 as contained in Annexure P/9 issued by the Circle Officer, Fatehpur (Gaya) whereby and where under no objection Certificate has been issued in respect of the land under Parwana of the petitioner pertaining to Mauza Dharahara Khurd Khata No. 98 Khesara No. 412 Area 1 Acre to the District Cooperative Officer, Gaya enabling him to construct a PACS Godown over 30 decimal out of 1 Acre of the land under the PACS Chairman of Dharahara Kalan Gram Panchayat Samiti under Fatehpur Anchal.



(ii) For issuance of a writ of Certiorari in quashing the order dated 12.09.2025 passed in Public Complaint No. 9999901180825569309 by the Sub Divisional Public Grievance Redressal Authority Gaya as contained in Annexure P/14 whereby the petitioner's Complaint has been disposed off with a direction to the petitioner to approach the Court of Additional Collector, Gaya where a process of cancellation of the Jamabandi of the petitioner in respect of the land in question is going to be initiated after the recommendation by the Circle Officer, Fatehpur Circle, vide his Letter No. 950 dated 13.08.2025.

(iii) For issuance of an appropriate writ /writs directing the respondent Nos. 4, 5, 6 and 11 to restrain respondent No. 14 or else one from dispossessing the petitioner from the land which has been settled vide Parwana No. 756 in settlement case No. 115 of 198586 in pursuant to 1 Acre of land of Mauza Dharahara Khurd Khata No. 98 Khasara No. 412 and if he is dispossessed from the land in question his possession be restored.

(iv) For issuance of any other relief/reliefs for which the petitioner is found entitled to under the facts and circumstances of the case.

8. The admitted facts of the case is/are that with respect to the land in question, a land settlement parwana was issued in the



year 1985-86 (Annexure- P/1 to the petition).

9. The petitioner is enjoying the fruits of the said land but was aggrieved when a letter no. 744 dated 01.07.2025 was issued by the Circle Officer, Fatehpur, Gaya to the District Co-operative Officer, Gaya giving no objection for the construction of a godown which included the land of the petitioner (Annexure- P/9 to the petition).

10. Aggrieved, the present petition.

11. The counter affidavit has come on behalf of the State respondents and the point put forward by them are two-fold:

(i) the petitioner/ family was never a landless person and the land was settled by way of suppression of fact;

(ii) the steps have already been taken by the respondents for cancellation of the jamabandi created in favour of the petitioner/ family by way of letter no. 1337 dated 09.12.2025 issued by the Circle Officer, Fatehpur, Gaya to the Additional Collector, Gaya (Annexure- P/24 to the I.A. 02 of 2026). This has resulted into the filing of Jamabandi Cancellation Case No. 405/ 2025-26.

12. Having heard the parties, this Court is of the opinion that when the State respondents have come to a conclusion that a jamabandi is continuing in favour of the petitioner, whether it has to continue or needs to be canceled, the matter has now gone to the Court of learned Additional Collector, Gayaji. Till a decision



comes after hearing the parties including the petitioner/State respondent, the Circle Officer, Fatehpur, Gaya, erred in issuing No Objection Certificate to the District Co-operative Officer, Gayaji.

13. In that background, allowing the petitioner/State respondent to fight out the battle before the learned Additional Collector, Gayaji, it is observed that till a decision comes in the Jamabandi Cancellation Case No. 405 of 2025-26, the letter no. 744 dated 01.07.2025 issued by the Circle Officer, Fatehpur, Gaya to the District Cooperative Officer, Gaya shall remain in abeyance.

14. The writ petitioner is disposed of with aforesaid observation.

15. Pending I.A.(s), if any, also stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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