

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18200 of 2018

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Mohammad Shahzada Son of late Mohammad Jamal Resident of 82, Kalutala Street, Calcutta, P.S. Barabazar, Kolcutta.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Revenue Department, Government of Bihar, Old Secretariat, Bailey Road, Patna
3. The Inspector General of Registration, Bailey Road, Patna- 800015
4. The District Magistrate Cum Collector Munger, Collectorate, Fort Area, Munger- 811202
5. The District Registrar, District Registry Office Munger 811202
6. The Deputy Collector Land Reforms, Munger Fort Area, P.S. Kotwali, Munger 811202
7. The Circle Officer, Sadar Munger, P.S. Muffassils, Munger- 811202
8. Sri Prabir Kumar Sinha, son of late Pratap Narayan Sinha Resident of Dalhatta Bazar Bhatt Toli, P.S. Kotwali, P.O. Basudeopur Town District- Munger 811201
9. Basukis Mandal Son of late Lal Mandal Resident of Basudeopur, P.S. Basudeopur, P.S. Kotwali, Town and District- Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None.
For the Respondent/s : Mr. Rishi Raj Sinha- Sc19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-01-2026 No one appears on behalf of the petitioner though the State is present.

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

(i) the respondents no. 6 and 7 may be restrained to create any Jamabandi and mutate names of any person illegally and



without any title deed executed by the petitioner in respect of lands situated in Mauza Basudeopur P.B. Kotwali Munger, pertaining to Tauzi no. 1338, Municipal Khesra No. 227, 181, 182, 183 and 188 ward No. "C", Sheet no. 2, total are about 7 bighas in which 10 Kathas is purchased ancestral property of the petitioner and it is ancestral land of his maternal uncle late Salim Ahmad Khan in which mother of the petitioner late Johara Khatoon has also shares;

(ii) the Respondent no. 8 has executed Power of Attorney at Calcutta in favour of Respondent no. 9 that is fabricated document as Respondent no 8 has no title in respect of above mentioned land as such no Jamabandi should be created or land mutated on the basis of deed executed as respondent no. 9;

(iii) that there is already a Jamabandi no. 965 in respect of Tauzi no. 1338 in Register-



II for part of land in question about 2-3 kathas and that land has been kept in mortgage even then Respondent No. 9 trying to sale after get opening new Jamabandi through Respondent no. 6 and Respondent no. 7 that will be illegal and amount to manipulation in Government records;

(iv) that the District Registrar may be restrained to register and deed in respect of above mentioned land as the Respondents no. 8 (Prabir Kumar Sinha) and Respondent no. 9 (Basuki Mandal) Both without any title deed got the Jamabandi created for some land of these plots through the Circle Officer (Respondent no.7) and D.C.L.R Respondent no.6) in their connivance and selling the land of petitioner to another person. Therefore order of status quo may be passed so that nobody can sale or purchase the lands in question;

(v) that no sale and purchase may be allowed without prior permission of the civil



Court or the Hon'ble Court;

(vi) that the Respondent no. 4 (District Magistrate Cum Collector) may be directed to hold enquiry as to how the C.O. and DCLR has created Jamabandi in respect of land of petitioner when he has not executed any deed in favour of anybody else.

3. Learned State submits that a perusal of the prayer would show that instead of approaching the Civil Court in getting the matter settled, the writ petition has been filed. The submissions seems to be justified. However, since there is no appearance on behalf of the petitioner, the writ petition is dismissed for non-prosecution.

(Rajiv Roy, J)

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