

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.50 of 2026

1. Janardan Yadav Son of Late Chamak Lal Yadav, Resident of village Jamaiya Chak, P S Shambhuganj, District Banka, At Present Village Belsine, PO Kaswa, PS Shambhuganj, District Banka.
2. Santosh Yadav, Son of Late Chamak Lal Yadav, Resident of village Jamaiya Chak, P S Shambhuganj, District Banka, At Present Village Belsine, PO Kaswa, PS Shambhuganj, District Banka.
3. Kundan Yadav, Son of Late Chamak Lal Yadav, Resident of village Jamaiya Chak, P S Shambhuganj, District Banka, At Present Village Belsine, PO Kaswa, PS Shambhuganj, District Banka.
4. Mira Devi, Wife of Bhola Yadav, Resident of village Jamaiya Chak, P S Shambhuganj, District Banka, At Present Village Belsine, PO Kaswa, PS Shambhuganj, District Banka.
5. Nilam Devi, Wife of Umesh Yadav and daughter of Late Chamak Lal Yadav, Resident of village Jamaiya Chak, P S Shambhuganj, District Banka, At Present Village Belsine, PO Kaswa, PS Shambhuganj, District Banka.
6. Sanjana Devi, Wife of Late Manoj Yadav, Resident of village Jamaiya Chak, P S Shambhuganj, District Banka, At Present Village Belsine, PO Kaswa, PS Shambhuganj, District Banka.
7. Nibha Devi, Wife of Panjak Yadav and daughter of Law of Late Chamak Lal Yadav, Resident of village Jamaiya Chak, P S Shambhuganj, District Banka, At Present Village Belsine, PO Kaswa, PS Shambhuganj, District Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Circle Officer, Amarpur, District Banka.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
4. The Collector, Banka, District Banka.
5. The Deputy Collector, Bhagalpur, District Bhagalpur.
6. The Deputy Collector, Banka, District Banka.
7. The S.D.O. (Sub Divisional Officer), Bhagalpur, District Bhagalpur.
8. The S.D.O. (Sub Divisional Officer) Banka, District Banka.
9. The Circle Officer, Amarpur, District Banka.
10. The S.H.O. Police Station, Amarpur, District Banka.

... .. Respondent/s

Appearance :



For the Petitioner/s : Mr. Mritunjay Prasad Singh, Advocate
For the State : Mr. Standing Counsel (21)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-03-2026 Heard the parties.

2. The present petition has been preferred for the grant of following relief(s):

“(i) for issuance of writ in the nature of certiorari for quashing the order dated 04.09.2025 passed by the Additional Collector, Banka, District Banka in Jamabandi cancellation Case No. 126/2025-26 by which he has canceled the old settlement of Land area 3 Acre 30 decimals from the part land of Jamabandi no. 119 which is stand in the name of army Nayak Hawaldar namely Chamak Lal Yadav (deceased) bearing Khata no. 39, Khesra No. 65 situated in Mouza Pathki, P.S. Amarpur, District-Banka.

(ii) for issuance of writ of direction commanding respondent authority not to disposses the petitioner from the land in question in any manner without acquiring the land of petitioner any making the payment of



compensation of the land because petitioners are in possession over the same since 1972 till date and hence they have acquired occupancy right and became the owner of the land.

(iii) for issuance of direction to the respondent authorities particularly respondent nos. 4 and 9 to settle the other land of Government in lieu of the land area 3.30 acres in some other place in vacant land of the Govt. is available.

(iv) for issuance of such other appropriate writ/order/direction which may deem fit proper in the facts and circumstances of this case for the ends of justice.”

3. A counter affidavit has come on behalf of the Circle Officer, Amarpur, Banka which shows that the petitioner has already preferred an appeal no. 125 of 2025-26 before the Collector, Banka which is currently pending.

4. A copy has been served upon the learned counsel for the petitioner and there is no rebuttal.

5. In that background, the writ petition is disposed of allowing the petitioner to pursue his case before the Collector,



Banka for in the aforesaid appeal.

6. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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