

the Jamabandi, rather, the specific power has been conferred upon the Deputy Commissioner to annul the transfer if the land has been settled or transferred by any mode of transfer of property Act on or after 01.01.1946, subject to affirmation of that annulling by the State Government.

6. It has been contended by the learned counsel for the petitioner that the said show cause notice is not sustainable in the eye of law on two counts at least, first under the provision of Section 4(h) of the Act, 1950, the power is vested upon the Deputy Commissioner as would be evident from Section 4(h) itself and section 4(h) does not confer any power upon the authority to cancel the Jamabandi, rather, only power which has been vested under the said provision before the Deputy Commissioner to annul transfer, hence, the said show cause notice is without jurisdiction and as such, is liable to be set aside.

7. Learned State Counsel, therefore, has sought for two weeks' time to file response.

8. Let such response be filed on or before the next date of hearing.

9. In view thereof, list this matter on 08.02.2024 before the appropriate Bench under the heading for admission.

(Sujit Narayan Prasad, J.)