

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21499 of 2012

=====

Mahapatia Devi W/O Hanslal Singh, resident of Village- Mittanchak, Police Station- Sona Gopalpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat Building, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat Building, Patna.
3. The District Magistrate- Cum- Collector, Patna.
4. The Circle Officer, Sampatchak Block, District- Patna.
5. The Circle Inspector, Sampatchak Block, District- Patna.
6. Chhotelal Thakur son of not known to the petitioner, the Revenue Karmchari Sampatchak Block, District- Patna.
7. Basmati Devi widow of Late Yugal Singh, resident of Village Deokali, Post Office Parthu, Police Station- Pipra, District- Patna.
8. Dinesh Kumar Singh S/O Digambar Singh, resident of Village Bahadurpur, Police Station- Naubatpur, District- Patna.
9. Ramesh Kumar Singh S/O Digambar Singh, resident of Village Bahadurpur, Police Station- Naubatpur, District- Patna.
10. Umesh Singh S/O Digambar Singh, resident of Village Bahadurpur, Police Station- Naubatpur, District- Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Verma, Advocate

For the Respondent Nos. 1 to 6 : Mr. Atal Bihari Pandey, AC to GP 22

For the Respondent Nos. 7 to 10: Mr. V.C.Pathak, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 09-10-2015

Heard the parties.

The petitioner is aggrieved by order dated 30.01.2012 passed in Case No. 4783/1 of 2011-12 by the respondent Anchal Adhikari, Sampatchak, Patna, as contained in Annexure-5, whereby the petition filed on behalf of the respondent Nos.7 to 10 for mutation of the lands in question in their favour has been allowed despite contest made by the petitioner.

In the considered opinion of this Court, against the order impugned, the petitioner has an alternative and efficacious

remedy before the appellate authority as also the revisional authority, but without approaching the aforesaid authorities , the petitioner has straightway filed the present writ petition under Article 226 of the Constitution of India, which cannot be entertained at this stage in the given facts of the case. This Court further finds that after the matter is decided by the prescribed appellate authority as also the revisional authority, the aggrieved party will have further remedy before the learned Bihar Land Tribunal, Patna in view of the provisions contained in Section 9 of The Bihar Land Tribunal Act, 2009.

In above view of the matter, the present writ petition is dismissed with a liberty to the petitioner to approach the prescribed appellate authority, at the first instance, for redressal of her valid grievances regarding the lands in question.

(Birendra Prasad Verma, J)

Tahir/-

U			
---	--	--	--