

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1557 of 2015

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Lalit Narayan Mishra S/o Uma Shankar Misha, resident of village Bajopatti,
P.S. Town Motihari, District East Champaran

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Land and Revenue Reforms, Bihar, Patna
2. The District Magistrate, East Champaran, Motihari
3. The Additional Collector, East Champaran, Motihari
4. The Sub Divisional Magistrate, Sadar Motihari, East Champaran
5. The Deputy Collector, Land Reforms, Sadar Motihari, East Champaran
6. The Circle Officer, Sadar Motihari
7. Sujan Kumar Rai Berman S/o Dhrub Prasad Rai Berman
8. Chitteranjan Mukherji S/o Sidheshwar Mukherjee
9. Swastika Banerjee D/o Sidheshwari Mukherjee
10. Meera Devi W/o Krishna Kumar
11. Krishna Prasad S/o

Respondent No. 7 to 11 resident of Mohalla Bajajpatti Pradhan Path
Motihari, P.S. Town, District Motihari

.... Respondents

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Appearance :

For the Petitioner : M/s Raj Kumar and
Ratanakar Jha, Advocates

For the State : Mr. Chhotelal Mishra, AC to GA 13

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 29-01-2015 Heard learned counsel for the petitioner and the

State.

Learned counsel for the petitioner submits that

Circle Officer, Sadar Motihari has recommended for cancellation

of Jamabandi which was existing in the name of respondent no. 8,

from whom he has purchased the land concerned.

It is submitted that the recommendation has been

sent to the Deputy Collector Land Reforms who is not the

competent authority under the statute concerned.

In my considered opinion, this application is premature as the petitioner may appear before the Deputy Collector Land Reforms concerned and raise the issue of maintainability of the case in view of the provisions contained in Section 9 of the Land Mutation Act, 2011.

Accordingly, this writ application is being disposed of, without going into the merit of the case, with liberty granted to the petitioner to approach Deputy Collector Land Reforms itself and raise all the issues available to him including the issue of maintainability, who shall dispose of the same on its own merit and in accordance with law after granting reasonable opportunity to all concerns.

(Dr. Ravi Ranjan, J)

Spd/-

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