

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16130 of 2012

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The Managing Committee Laxmi Narayan Swargiya Pandit Rajhans
Sanskrit Prathamik Sah-Uchcha Vidya Mandir, Pandeydih, Jhajha, District
- Jamui, through its Headmaster Sri Bam Shankar Pandey, Son of Late
Huro Pandey, Resident of Village - Pandey Dih, P.O. & P.S. Jhajha, District
- Jamui

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms
Department, Government of Bihar, Patna

2. The District Magistrate, Jamui

3. The Deputy Collector, Land Reforms, Jamui

4. The Circle Officer, Jhajha, District - Jamui

5. Damodar Pandey Son Of Late Rajendra Pandey Resident Of Village –
Pandey Dih, P.O. & P.S. Jhajha, District - Jamui

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Respondent No.5: Mr. Naresh Chandra Verma

Mr. Ram Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 01-10-2015 The petitioner is aggrieved by order dated 17.07.2012
passed in Mutation Appeal Case No. 10 of 2011-12 by the
respondent D.C.L.R., Jamui, as contained in Annexure-13,
whereby the aforesaid mutation appeal filed on behalf of the
respondent no. 5 has been allowed and the order passed by the
original authority has been set aside.

In the considered opinion of this Court, against the order
impugned the petitioner has an alternative and efficacious remedy
before the revisional authority in view of the provisions contained
in Section 8 of The Bihar Land Mutation Act, 2011 (in short ‘Act,
2011’) and the rules made thereunder, but the petitioner, without
exhausting the aforesaid alternative remedy of revision, has come
to this Court in the present proceeding. This Court further finds
that against the revisional order passed under the provisions of the

Act, 2011, aggrieved party has 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 exhaust alternative remedy available before the prescribed authority.

The order of stay dated 05.09.2012 granted by a Bench of this Court stands vacated.

(Birendra Prasad Verma, J)

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