

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5055 of 2014

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Md. Hasim Ansari S/O Rojit Ansari, Resident of Village - Kalhua,, Thikha,
P.S. Purnahiya, District - Sheohar

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Commissioner and Secretary, Department of Revenue and Land Reforms Bihar, Patna
3. The Collector, Sitamarhi
4. The Additional Collector, Sitamarhi
5. The Deputy Collector, Land Reforms, Sitamarhi Sadar Circle
6. The Anchal Officer, Riga, District - Sitamarhi
7. Babu Lal Rai S/O Gonaur Rai, R/O Village - Sirahi, P.S. Riga, District - Sitamarhi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Sinha

For the Respondent/s : None.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 20-06-2016 Heard the learned counsel appearing on behalf of the petitioner. However, none appears on behalf of the respondents though the name of the learned State counsel is printed in the daily cause list.

The petitioner has filed the present writ petition seeking a direction to the respondent Circle Officer, Riga district Sitamarhi to mutate the lands in question, fully detailed in paragraph-1 of the writ petition, in his favour.

Though, the learned counsel, appearing on behalf of the petitioner, has argued the matter at some length, but despite repeated queries he has not been able to show that any petition was filed on behalf of the petitioner under Section 3 of The Bihar Land Mutation Act, 2011 (In short 'Act, 2011') for grant of appropriate reliefs.

In above view of the matter, the present writ petition is

disposed of with a liberty to the petitioner to file an appropriate petition before the prescribed statutory authority under Section 3 of the Act, 2011 for grant of appropriate relief with respect to the lands claimed by him.

If such a petition is filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order, then the prescribed statutory authority shall register an appropriate case under the provisions of the Act, 2011 and shall pass appropriate order strictly in accordance with law. However, before passing any final order opportunity of hearing must be given to writ petitioner, respondent no. 7 and others, if any.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner with respect to the lands in question and this is left to be decided by the prescribed statutory authority strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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