

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9634 of 2014

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Lalan Prasad S/o - Ram Nagina Prasad, resident of village - Saria, P.S. -
Hussainganj, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Collector, Saran at Siwan, District - Siwan.
3. The Deputy Collector Land Revenue, Siwan, District - Siwan.
4. The Circle Officer Mairnwan, Siwan, District - Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore, Advocate
Mr. Abhay Krishna, Advocate

For the Respondent/s : Mr. Mritunjay Kumar, AC to GP 12

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 19-09-2016

Heard the parties.

The grievance of the petitioner in the present writ petition is that, despite application filed by him, the prayer for mutation of his name with respect to the lands in question is not being considered by the respondent no.4.

In view of the nature of the grievances/claims raised on behalf of the petitioner in the present writ petition, the petitioner is directed to file a fresh petition under Section 3 of the Bihar Land Mutation Act, 2011 (in short "Act, 2011") before the concerned Circle Officer within a period of two months from today along with a certified copy of the present order, whereafter, the concerned Circle Officer shall be obliged to initiate a mutation case under the provisions of the Act, 2011 and the Rules made thereunder and shall further be obliged to dispose of the aforesaid mutation case strictly in accordance with law, but before passing any final order, reasonable opportunity of hearing must be given to the petitioner and all other concerned persons, besides the private

individuals, 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 statutory authority under the provisions of the Act, 2011 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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