

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16541 of 2014

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Sikari Mandal Son of Late Narayan Mandal, Resident of Village - Simra,
P.S. - Tikapati, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector Katihar.
3. The Deputy Collector Land Reforms Katihar, District - Katihar.
4. The Circle Officer, Sameli Anchal, District- Katihar.
5. The Circle Inspector Sameli Anchal, District - Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Waliur Rahman, Adv.
Mr. Pawam Kumar Singh, Adv.

For the Respondent/s : Mr. Balram Kapri, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 03-10-2016 Heard the parties.

The only grievance of the petitioner in the present writ petition is that for mutation of his name with respect to the lands in question, fully detailed in paragraph-1 of the writ petition, he approached the respondent Circle Officer, Sameli, but he has not initiated any proceeding much less passing the final order for mutation of his name with respect to the lands in question.

In view of the nature of the grievances/ claims raised on behalf of the petitioner in the present writ petition, he is granted liberty to file a fresh petition in the prescribed format under Section 3 of The Bihar Land Mutation Act, 2011(in short 'the Act, 2011') and the Rules made thereunder before the respondent Circle Officer, Sameli, District Katihar, after impleading all the necessary parties.

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 respondent Circle Officer, Sameli shall be obliged to register a case under the provisions of the Act, 2011 and the Rules made thereunder and shall proceed to decide the claim of the petitioner for mutation of his name with respect to the lands in question strictly in accordance with law, but before passing any final order, reasonable opportunity of hearing must be given to all concerned including the petitioner and the other private individuals, if any. All endeavours shall be made to conclude the proceeding at an early date preferably within a period of three months from the date of filing of such petition by the petitioner.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the present writ petition and this is left to be decided by the respondent Circle Officer, Sameli 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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