

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.675 of 2015

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1. Shyamdeo Mandal @ Shyamdeo Kumar Mandal Son of Anirudh Mandal Resident of Village - Tintanga Kartari, P.S.- Gopalpur, District - Bhagalpur
 2. Jitendra Mandal @ Jitendra Kumar Son of Anirudh Mandal Resident of Village - Tintanga Kartari, P.S.- Gopalpur, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat, Patna
2. The Commissioner, Bhagalpur Division, Bhagalpur
3. District Magistrate, Bhagalpur, District , Bhagalpur
4. The Land Reforms Deputy Collector, Naugachia, District - Bhagalpur
5. The Sub Divisional Officer, Naugachia, District - Bhagalpur
6. The Block Development Officer, Gopalpur Anhal, District - Bhagalpur
7. The Circle Officer, Gopalpur Anchal, District - Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Adv.

Mr. Rajesh Kumar Pandey, Adv.

For the Respondent/s : Mr. Sanjay Kumar Ojha, AC to GP-7

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 19-12-2016

Heard.

The grievance of the petitioner is that they filed a petition for mutation of their names with respect to the lands in question before the respondent D.C.L.R., Naugachhia, but that is not being disposed of.

The learned AC to GP-7, appearing on behalf of the respondents, has rightly pointed out that the respondent D.C.L.R. is not the prescribed authority for mutation of the names of the petitioners with respect to the lands in question. According to him, the petitioners ought to have approached the Circle Officer of the area concerned.

The submission made by the learned State counsel is



correct.

In view of the provisions contained in The Bihar Land Mutation Act, 2011 (in short 'Act, 2011'), the Circle Officer of the area concerned is the prescribed authority for passing an appropriate order for mutation of the names of the parties with respect to the lands in question.

In above view of the matter, the petitioners are granted liberty to file a fresh petition before the Circle Officer of the area concerned in the prescribed format under the provisions of the Act, 2011 for grant of appropriate relief to them with respect to the lands in question.

If such a petition is filed on behalf of the petitioners within a period of one month from today with a certified copy of the present order, after impleading all the necessary parties, then the Circle Officer of the area concerned shall be obliged to initiate a proceeding under the provisions of the Act, 2011 and shall take it to its logical conclusion in accordance with law at an early date preferably within a period of three months from the date of filing of such petition. However, before passing any final order, an opportunity of hearing must be given to all concerned.

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

(Birendra Prasad Verma, J)

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