

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4369 of 2009

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Neel Kamal Kumar, son of Shri Khublal Singh, resident of village-Dumara
Pul Par, P.O.-Pabhera, P.S.-Dhanarua, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Patna
3. The District Collector, Patna Samaharnalya Patna
4. The Additional Collector, Revenue, Patna.
5. The Sub-divisional Officer, Masaurhi (Patna).
6. The Deputy Collector Land Reform, Masaurhi, Patna.
7. The Circle Officer, Dhanarua, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Chandra Yadav

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 06-05-2016 Heard learned counsel for 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 grievance of the writ petitioner is that, for
mutation of the lands in question, fully detailed in paragraph 4 of
the writ petition, in his favour, he filed a petition before the
prescribed authority, but till date no final order has been passed
and the matter has been kept pending for the reasons best known
to the authorities concerned.

In view of the nature of the grievances raised on
behalf of the writ petitioner, this Court is of the opinion that
interest of justice shall be sub-served, if the petitioner is granted
liberty to file a prescribed petition before the respondent Circle
Officer, Dhanarua, Patna for mutation of the lands in question in
his favour. It is ordered accordingly.

If such appropriate 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, Dhanarua, Patna shall be obliged to register a regular case for mutation under Section 3 of The Bihar Land Mutation Act, 2011 and thereafter he shall proceed to decide the claim of the petitioner for mutation of the lands in question strictly in accordance with law, but, before passing any final order, an opportunity of hearing must be given to all concerned including the petitioner and others, if any, who may have some claim over the same and the respondent Circle Officer, Dhanarua, Patna shall make all endeavours to dispose of the aforesaid mutation case at an early date preferably within a maximum period of three months from the date of filing of such petition in the manner indicated above.

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

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

(Birendra Prasad Verma, J)

Arvind/-

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