

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5133 of 2014

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Chandradeo Singh, Son Of Late Harihar Singh, Resident Of Village-
Pirauna, P.O. Pirauna, P.S. Garkha, Dist- Saran

.... Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Saran
2. The L.R.D.C. Saran at Chhapra
3. The Circle Officer, Garkha, Saran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.
For the Respondent/s : Mr. Subhash Pd. Singh, GA-7
Mr.Dilip Kumar, AC to GA-7

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 23-06-2016

The petitioner has filed the present writ petition under Article 226 of the Constitution of India seeking a direction to the respondents to mutate the lands in question, fully detailed in paragraph 5 of the writ petition, in the name of his mother.

Despite repeated queries, the learned counsel appearing on behalf of the petitioner has not been able to show that for mutation of the lands in question in favour of the mother of the petitioner any appropriate petition under Section 3 of The Bihar Land Mutation Act, 2011 (in short 'Act, 2011') was filed and the same has been rejected. In absence of any petition filed under Section 3 of the Act, 2011, no order of mutation can be passed by the Circle Officer of the area concerned.

In above view of the matter, the petitioner or his mother is granted liberty to file an appropriate petition under Section 3 of the Act, 2011 for grant of appropriate relief(s) with respect to the lands in question.

If such a petition is filed within a period of one

month from today with a certified copy of the present order, then the Circle Officer of the area concerned shall register a case under the provisions of the Act, 2011 and shall pass an appropriate final order strictly in accordance with law, but, before passing any final order, an opportunity of hearing must be given to all concerned including the petitioner.

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

(Birendra Prasad Verma, J)

Arvind/-

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