

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17333 of 2014

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Lakshmi Mandal, S/o Sukhlal Mandal, Resident of Village Tarwa, P.S.
Runni Saidpur, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land and Revenue Reforms, Bihar, Patna.
2. The Collector, Sitamarhi.
3. The Deputy Collector Land Reforms Sadar, Sitamarhi.
4. The Circle Officer, Runni Saidpur, Sitamarhi.
5. The Consolidation Officer, Runi Saidpur, Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Sinha, Adv.

For the Respondent/s : Mr. Kinkar Kumar, SC-9

Mr. Rakesh Kumar Sharma, AC to SC-9

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 03-10-2016

Heard the parties.

The only grievance of the petitioner in the present writ petition filed under Article 226 of the Constitution of India is that, he filed a petition for mutation of his name with respect to the lands in question, fully detailed in paragraph 4 of the writ petition, but his petition has not been entertained by the Circle Officer, Runni Saidpur, District-Sitamarhi.

In view of the nature of the grievances/claims raised on behalf of the petitioner in the present writ petition, the petitioner is granted liberty to file an appropriate fresh petition in the prescribed format under the provisions of Section 3 of The Bihar Land Mutation Act, 2011 (in short 'Act, 2011') before the Circle Officer, Runni Saidpur, after impleading all the necessary parties, who may be also laying their claims over the lands in question, within a period of one month from today.

If such a petition is filed on behalf of the petitioner with a certified copy of the present order, then the Circle Officer, Runni Saidpur shall be obliged to initiate a proceeding under the provisions of the Act, 2011 and the Rules made thereunder and shall take it to its logical conclusion in accordance with law, but, before passing any final order, reasonable opportunity of hearing must be given to the petitioner as also the private individuals, if any. The Circle Officer, Runni Saidpur shall make all endeavours to dispose of the aforesaid 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 it is left to be decided by the Circle Officer, Runni Saidpur 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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