

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20666 of 2014

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Birendra @ Virendra son of Late Chandeshwar Prasad Singh, resident of village - Satrajabad, P.S. Karaipersurai, District - Nalanda at present Mahatma Gandhi Nagar, P.S. Agamkuan, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Patna
3. The Land Reforms Deputy Collector, Patnacity, Patna
4. The Circle Officer, Patna Sadar, Patna
5. Kanhaiya Prasad son of Late Sideshwar Sinha, resident of village – Satrajabad, P.S. Karaipersurai, District - Nalanda and at present Mahatma Gandhi Nagar, P.S. Agamkuan, District - Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar, Advocate
Ms.Kahkashan Alam, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 22-10-2016 Heard the learned counsel appearing on behalf of the petitioner.

The petitioner was initially aggrieved by order dated 18.07.2009 passed by the respondent Circle Officer, Patna Sadar in Mutation Case No. 449/4 of 2009-10, as contained in Annexure-6/A to the writ petition, whereby the claim of the respondent no.5 for mutation of his name with respect to the land in question was allowed.

The learned counsel appearing on behalf of the petitioner has fairly submitted that against the impugned order, the petitioner had filed Mutation Appeal No. 8 of 2009-10 before the respondent D.C.L.R., Patna City, but that has also been dismissed on 14.12.2015 during the pendency of the present writ petition. He further contended that the petitioner, being aggrieved by the aforesaid appellate order, has preferred Mutation Revision Case

No. 66 of 2015-16, which is still pending before the Additional Collector, Patna and the matter has not been taken to its logical conclusion till date.

In view of the nature of the grievances/claims raised on behalf of the petitioner with respect to land in question, the petitioner is directed to appear before the Additional Collector, Patna on the next date fixed in the revision case. The Additional Collector, Patna shall make all endeavour to dispose of the aforesaid revision case filed on behalf of the petitioner expeditiously preferably within a period of two months from the date of production/receipt of the present order. However, before passing any final order, reasonable opportunity of hearing must be given to all concerned including the petitioner and private respondent no.5, besides others, if any.

The parties shall be at liberty to raise all the issues of facts and law, which may be available to them with respect to the land in question as also the orders impugned, before the Additional Collector, Patna.

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

(Birendra Prasad Verma, J)

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