

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12760 of 2014

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Meena Devi, Wife of Sri Yogendra Yadav, Resident of Village- Andauli,
Tole- Baijnathpur, P.S.- Kishanpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land and Revenue Department,
Government of Bihar, Patna.
2. The Collector, Supaul.
3. The Circle Officer, Kishanpur, District- Supaul.
4. The Circle Inspector Kishanpur, District- Supaul.
5. Sri Laxmi Narayan Pandey
6. Sri Parsuram Pandey
Both Sons of Late Kunji Lal Pandey, Resident of Village- Andauli, Tole-
Baijnathpur, P.S.- Kishanpur, District- Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Purushottam Jha, Adv.
Mr. Vikash Kumar Jha, Adv.
For the Respondent nos.1to4 : Mr. Virendra Kumar, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 26-09-2016

Heard the parties.

The petitioner has filed the present writ petition seeking a direction to the respondent authorities to mutate her name with respect to the lands in question, fully detailed in paragraph 1 of the writ petition.

In view of the nature of the grievances/claims raised on behalf of the petitioner with respect to the lands in question, this Court is of the opinion that, instead of keeping the matter pending and asking the respondents to file their counter affidavit, the interest of justice shall be sub-served, if the petitioner is granted liberty to file an appropriate petition in the prescribed format under Section 3 of The Bihar Land Mutation Act, 2011 (in short 'Act, 2011') before the concerned Circle Officer after

impleading all the necessary parties including the respondent nos.5 and 6. It is ordered accordingly.

If such a 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 concerned Circle Officer shall initiate a proceeding under the provisions of the Act, 2011 and shall consider and decide the claim of the petitioner, by a reasoned and speaking order, after giving an opportunity of hearing to the petitioner, the respondent nos.5 and 6 and all other concerned persons, 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 with respect to the lands in question and it is left to be decided by the concerned Circle Officer 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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