

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.801 of 2017

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1. Shashi Kant Singh alias Shashi Kant
 2. Laxmi Kant both sons of Sri Bindeshwar Singh resident of village - Chanda, P.S. Athmalgola & District - Patna.
 3. Awadhesh Kumar Son of Late Paira Yadav
 4. Mithilesh Kumar alias Mithilesh Prasad Son of Late Saran Yadav
 5. Awadhesh Prasad alias Awadhesh Singh Son of Sri Dayanand Prasad all residents of village Madhopur, P.S. - Bakhtiyarpur, District - Patna.
 6. Deepak Kumar Son of Sri Jai Prakash Singh resident of village - Hidayatpur, P.S. - Bakhtiyarpur, District - Patna.
 7. Ajay Kumar son of Late Bhubneshwar Yadav resident of village - Lemunabad, P.S. Pandarak, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Collector, Patna.
2. The Deputy Collector of Land Reforms, Barh, Patna.
3. The Anchaladhikari, Bakhtiyarpur, District - Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Respondent/s : Mr. RAJ KISHORE ROY-GP18

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 30-01-2018

1. Heard both sides.
2. The petitioners filed this writ petition for the following reliefs :-

- (i) For issuance of writ in nature of Mandamus commanding the respondent No.3 to mutate the name of the petitioner in terms of the order dated 12.11.2016 passed by the Lok Adalat, Barh (Patna), as contained in Annexur-3.



(ii) For passing any other order/s, command/s or appropriate writ/s which your Lordship may deem fit and proper in the facts and circumstances of the instant case.

3. Mr. Rajendra Narain, the learned senior counsel appearing on behalf of the petitioner submits that the petitioner filed petition for mutation of their names by virtue of the sale deeds executed by Prem Nath Singh and others in favour of the petitioners. The Circle Officer after obtaining the reports of Halka Karmchari through Circle Inspector recommended for mutation and the case was sent to Lok Adalat for necessary order on compromise because none had filed any objection. The Lok Adalat passed order on 12.11.2016 and even thereafter the Circle Officer, Bakhtiyarpur, Patna did not mutate the name of the petitioner. The State filed counter affidavit. One I.A. No.5043 of 2017 is also filed on behalf of the Bibhuti Kumar, Raj Narayan Kumar and others that the lands of plot No.1322 have been mutated in their names and they were not ever informed. The State in the counter affidavit has stated that facts the lands of plot No.1322 have been mutated in the name of others but Halka Karmchari has concealed this fact in his report and that is why the case was disposed of in Lok Adalat and order was passed to mutate the name of the petitioner.



4. Mr. Rajendra Narain, learned senior counsel for the petitioner submits that the name of the intervener-respondents have been mutated with regard to other parts of the same land bearing Khesra No.1322 of khata No.379 situated in village-Madhopur, Anchal-Bakhitiyarpur.

5. Having considered the fact, I disposed of this writ petition with a direction to the Circle Officer to hear the petitioner as well as the interveners-respondents and pass order on the petition of the petitioner with regard to the mutation of their names within two months from the date of receipt of this order.

6. Accordingly, this writ petition is disposed of with the aforesaid direction.

(Prabhat Kumar Jha, J)

Sanjeev/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

