

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12801 of 2017

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1. Jay Prakash S/o Late Surajmal Sah Resident of Mohalla - Mohanpur,
West of Devi Mandir, P.O. & P.S. Shastri Nagar, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land and Revenue,
Government of Bihar, Patna.
2. The District Magistrate cum Collector, Patna.
3. The Deputy Collector, Land Revenue, Patna.
4. The Circle Officer, Anchal - Patna.
5. The Block Development Officer, Patna.
6. The Officer-in-charge, P.S. - Shashtri Nagar, Patna.
7. Kaushalya Devi W/o Late Ramniwas Sah
8. Binod Kumar S/o Late Ramniwas Sah Both are resident of Mohalla -
Mohanpur, West of Devi Mandir, P.O. & P.S. - Shastri Nagar, District -
Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sandip Singh

For the Respondent/s : Mr. S.C.Yadav-GP15

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 29-06-2018 Heard the learned counsel for the petitioner and learned
counsel for the State-respondents.

The petitioner has filed this writ petition for quashing the
order dated 18.05.2017 as contained in Annexure 5 by which the
Circle Officer ordered to mutate the name of respondent No.7.

The learned counsel for the petitioner submits that Circle
Officer did not issue any notice and passed ex parte order.

From perusal of the Mutation Law, 2011, it appears that
the order mutating the name of a person passed by the C.O. is



appealable before the Land Reforms, Deputy Collector. The petitioner has not filed any appeal before the Statutory Authority.

In this view of the fact, I dispose of this writ petition with a direction to the petitioner to present the appeal before the Statutory Authority within 30 days from today and the D.C.L.R. shall hear the appeal of the petitioner without unsuiting him on the ground of limitation.

Accordingly, this writ application stands disposed of.

(Prabhat Kumar Jha, J)

Saurabh/-

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