

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1409 of 2019

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Md. Mojahid @ Md. Mojahid Rashidi, son of Late Hafiz Abdul Rashid
Resident of Mohalla Shekhana, Town biharsharif, P.S- Bihar District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms and Revenue Department, Govt. of Bihar Patna
2. The Collector cum District Magistrate Nalanda
3. The Circle officer, Biharsharif, Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bhanu Pratap Singh
		Mr. Amar Nath Singh
For the Respondent/s	:	Ms Sanghamitra Ghosh, AC to GP 15

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-01-2019 Learned Counsel for the petitioner is permitted to make necessary correction in paragraph 1 of the writ application in course of the day.

Following is the relief, the petitioner is claiming:-

“That this is an application for issuance of an appropriate writ, order or direction the Respondent no. 3 Circle Officer, Biharsharif, Nalanda, for creating Jamabandi in the name of the petitioner for Chistiyana Harhiya Pokhar bearing Khata no. 310, Khesra No. 575, area 1.33 acres, Khesra No. 564, area 6 decimals, Mauza Chistiyana, thana no. 117, in the district of Nalanda, in the light of judgment and decree, dated 14.12.2004/23.12.2004, passed by the learned Sub Judge VII, Biharsharif, Nalanda, in T.



S. No. 17/1996, as well as judgment, dated 26.09.2011, passed by the learned Additional District Judge, Fast Track Court No. 1, Nalanda, at Biharsharif, in T. A. No. 03/2005, by which the disputed property/tank is declared personal possessed property of the petitioner to which Bihar Government and Municipality have no right.”

Under the Bihar Land Mutation Act, 2011 (hereinafter referred to as ‘the Act’), procedure has been prescribed for filing of petition for mutation and disposal of mutation cases by the Circle Officer. Chapter 6 of the Act contains the provisions for appeal and revision.

There is no information in the writ petition as to whether the petitioner has invoked the provisions under the Act or not.

Under such circumstance, this application is disposed of with an observation that the petitioner may approach the competent authority under the Act for redressal of his grievance, in accordance with law.

(Chakradhari Sharan Singh, J.)

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