

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1621 of 2019

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Mohammad Yaseen, Son of Late Sultan Ahmad, Resident of Mohalla-Samanpura (Sultan Manjil), P.S. Shashtri Nagar, Distt. Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar Government, Patna
 2. The District Magistrate, Patna, Bihar
 3. The Circle Officer, Patna Sadar, Patna, Bihar
 4. Md. Harun Yahiya
 5. Mamun Yahiya Rahi
 6. Abdullah Yahiya Rahi
- Petitioner nos. 4 to 6 are son of Yahiya Rahi, permanent resident of village + P.O. - Madhopur, P.S. - Barharia, District – Siwan.
7. Md. Taha, Son of late Sultan Ahmad, Resident of Village and P.O. Madhopur, P.S. Barharia, Dist. Siwan
 8. Marayam Bano, wife of Md. Bahauddin, Resident of Village- Mahnar, P.S. Mahnar, Distt. Vaishali.
 9. Samima Bano, Wife of Atiullah, resident of Village- Bithouli, P.S. Bhagwanpur, Distt. Vaishali.
 10. Shahjadi Shahr Bano, Wife of Md. Arif Hussain, Resident of Village- Narayanpur, P.S. Purnia, Distt. Purnia

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Pd. Singh
For the Respondent/s : Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-01-2019 Heard learned Counsel for the parties concerned.

The petitioner is seeking direction to the District Magistrate, Patna, to dispose of representation, dated 18.12.2018, which the petitioner has filed against the decision of the Circle Officer, Patna Sadar, Patna, for mutation of land in favour of respondent nos. 4 to 7.

Against the impugned action of the Circle Officer, the



petitioner has remedy under Section 7 of the Bihar Land Mutation Act, 2011, (hereinafter referred to as “the Act”) of appeal, which the petitioner has not availed. The petitioner has instead filed an application before the Collector, Patna, who is the Revisional Authority.

Situated thus, this application is disposed of with the observation that the petitioner shall be at liberty to prefer an appeal under Section 7 of the Act, before the District Collector Land Reforms. If he does so within a fortnight from today, the appellate authority shall not raise any objection on the plea of limitation in view of the fact that the petitioner was advised to pursue his remedy before this Court.

(Chakradhari Sharan Singh, J.)

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