

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13493 of 2019

=====

Uday Prakash Son of Late Yamuna Ram resident of Mohalla Station Road,
Ward No. 25 under Town , Samstipur, P.s.- Samstipur (Town) District -
Samastipur

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department,
Government of Bihar, Patna.
2. The Additional Collector, Samastipur.
3. The D.C.L.R. Samastipur, Bihar
4. The Circle Officer, Samstipur
5. Rahul Prasad Narayan Singh son of Late Traumbakeshwr Prasad Singh, r/o
Village - Brisingpur, P.S.- Kalyanpur, District - Samstipur - 848160
6. Ashish Prasad Singh, S/o Late Traumbakeshwar Prasad Singh r/o Village -
Brisingpur, P.S.and P. O.-Kalyanpur, District - Samstipur - 848160
7. Meena Sinha, w/o Late Traumbakeshwar Prasad Singh, r/o Village -
Brisingpur, P.S.-P.O.- Kalyanpur, District - Samstipur Presently residing at
B/2 , maharani Bagh, New Delhi- 110065.
8. Sanghmitra Sharma, D/o Late Rajeshwar Prasad Narayan Sinha, r/o Village -
Brisingpur, P.S.-P.O.- Kalyanpur, District - Samstipur Presently residing at
House No-18, Ishwar Nagar, Mathura Road, New Delhi- 110065.

... .. Respondents

=====

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan
For the Respondent/s : Mr. Fakhruddin Ali ahmd, AC to AAG-12

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 18-07-2019 By the impugned order of the Bihar Land Tribunal,

the orders passed, under the Bihar Land Mutation Act, 2011, in

favour of the petitioner has been set aside citing the provisions

under Section 6(12) of the Act, which stipulates that mutation of

a holding or a part thereof shall not be allowed in cases in which

title suit with regard to that holding or a part thereof is pending

in a competent Court.



Admittedly, a Title Suit No. 310 of 2015 between the same party is pending and was pending when the case for mutation was taken up by the revenue Courts.

Learned counsel appearing on behalf of the petitioner has submitted that the learned Member(Administrative), Bihar Land Tribunal, could have set aside the order passed by the revenue Court on that ground, but he ought not to have set aside all the three orders passed by the authorities under the Act allowing mutation in favour of the petitioner.

I do not find any force in the submission so advanced on behalf of learned counsel appearing on behalf of the petitioner. Since, in view of the pendency of the suit, the authorities could not have entertained and passed order allowing mutation, I do not find any illegality in the impugned order.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Pawan/-

U			
---	--	--	--

