

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15817 of 2019

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Raj Gopal Pandey S/o Gupteshwar Pandey Resident of Zero Mile, Gulab
Bagh, P.S.- Sadar, Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector Purnea
3. The Deputy Collector Land Reforms, Sadar, Purnea
4. The Anchal Adhikari (Circle Officer) Purnea East, Purnea
5. Sahabuddin S/o Late Sofiqure Rahman Vill. and P.o.- Barsauni, P.s.- Sadar,
Distt.- Purnea
6. Md. Khaliqur Rahman S/o Late Mojibur Rahman Vill. and P.o.- Barsauni,
P.s.- Sadar, Distt.- Purnea
7. SK. Manglu S/o Safique Rahman Vill. and P.o.- Barsauni, P.s.- Sadar, Distt.-
Purnea
8. SK. Manowar S/o Safique Rahman Vill. and P.o.- Barsauni, P.s.- Sadar,
Distt.- Purnea
9. SK. Sanowar S/o Safique Rahman Vill. and P.o.- Barsauni, P.s.- Sadar,
Distt.- Purnea
10. S.K. Quamaruddin S/o Late Usman Vill. and P.o.- Barsauni, P.s.- Sadar,
Distt.- Purnea
11. Baddiuzema S/o Late Usman Vill.- Diari, P.s.- Kasba, Distt.- Purnea
12. Jawahar Yadav S/o Late Mahendra Yadav Vill.- Chauhan Tola, Gulabbagh,
P.s.- Sadar, Distt.- Purnea

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Sinha, Advocate Mr. Uday Shankar Pandey, Advocate Mr. Chetan Kumar, Advocate
For the State	:	Mr. W.A. Khan, AC to SC-25

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

ORAL ORDER

3 13-08-2019 Heard learned counsel for the parties.

An order dated 28.09.2018, passed by learned
Member (Judicial), Bihar Land Tribunal, Patna in BLT Case No.
248 of 2019 has been put to challenge in the present writ
application. By the impugned order, the Tribunal has refused to



interfere with the order dated 03.11.2017, passed by the Collector, Purnea in Mutation Revision Case No. 70 of 2012 whereby he had dismissed the revision application filed against an order dated 22.11.2011, passed by the Deputy Collector Land Reforms, Sadar, Purnea in Mutation Appeal No. 28 of 2008-09. By the said order dated 22.11.2011, the Deputy Collector Land Reforms, after having set aside an order dated 07.09.2008, passed by the Circle Officer, Purnea East in Mutation Case No. 701 of 2008-09 had remanded the matter back to the Circle Officer.

I have heard Mr. Pramod Kumar Sinha, learned counsel appearing on behalf of the petitioner and learned AC to SC-25 for the State.

It has been submitted by Mr. Sinha that the order of the Circle Officer allowing mutation in favour of the petitioner was passed in the light of a civil court's decree in his favour and the Deputy Collector Land Reforms had wrongly interfered with the order of the Circle Officer and remanded the matter back to him.

There is no dispute about the fact that a revision application was filed before the Collector against the appellate order of the Deputy Collector Land Reforms which stood dismissed because of the absence of the parties before him. With



the dismissal of the revision application, order of the Deputy Collector Land Reforms attained finality. Learned Member (Judicial) of the Tribunal has recorded that the Tribunal did not have any option but to dismiss the revision application since there was none to press the revision application. After having dismissed the revision application in the absence of the revision petitioner, the Tribunal has directed the Circle Officer, Purnea East by the impugned order to dispose of the matter. It is not known whether the Circle Officer has finally passed an order in the mutation case after the matter was remanded by the Deputy Collector Land Reforms.

I do not find any illegality in the impugned order dated 28.09.2018, passed by the Tribunal requiring this Court's interference. It is, however, directed that let the Circle Officer, Purnea East dispose of the mutation case within a maximum period of three months from the date of receipt/ production of a copy of this order, if not already disposed of.

This application is accordingly disposed of.

(Chakradhari Sharan Singh, J)

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