

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6500 of 2021

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Hari Nandan Singh Son of Janki Singh Resident of Village- Bindulia, Police Station- Barun, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Additional Collector, Aurangabad.
4. The D.C.L.R., Aurangabad.
5. The Circle Officer, Barun, District- Aurangabad.
6. Parvati Devi Wife of Late Manki Singh Resident of Village- Bindulia, Police Station- Barun, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Pravesh Nath Tiwari, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-10-2021 Heard the learned counsel for the petitioner and Sri Rishi Raj Sinha, learned SC 19 appearing for the State.

The present writ petition has been filed seeking the following reliefs :-

“(i) For issuance of appropriate writ/ writs, in the nature of writ of mandamus directing the official respondents to implement the order dated 25.07.2019, passed in B.L.T. case no. 63 of 2019 by the learned Member (Administrative) B.L.T. Patna, whereby the learned member has set aside the order passed



by Additional Collector, Aurangabad in Mutation Revision case no. 181 of 2017/ 166 of 2017.

(ii) For further direction/ directions to the respondents, particularly to respondent no. 5 directing him to issue rent receipts to the petitioner with respect to Jamabandi of the land situated in village Sinduria and village Binduria vide Jamabandi no. WP/DN 91/2 and Jamabandi no. WP/DN 17/1.”

The learned counsel for the petitioner has submitted that the Jamabandi in question pertaining to land situated at Thana no. 157, khata no. 20, 23, 04 and 06 was in the name of the deceased father of the petitioner, however subsequently, the Circle Officer, Barun, Aurangabad had passed an order dated 19.10.2013 in Mutation case no. 2108 of 2013-14, whereby and whereunder a Jamabandi was created in favour of one Parvati Devi. It is further submitted that subsequently, the matter had travelled to the Bihar Land Tribunal, Patna, which by an order dated 25.07.2019 passed in B.L.T. case no. 63 of 2019 has been pleased to hold that the order passed by the Circle Officer dated 19.10.2013, has already been set aside by the appellate authority i.e. the learned



D.C.L.R. Aurangabad in Mutation Appeal no. 33 of 2015-16.

Thus, it is submitted that the consequent effect is that the order dated 19.10.2013, passed by the Circle Officer, Barun, Aurangabad creating Jamabandi in favour of the said Parvati Devi is no longer in force, hence the Jamabandi continues to exist in favour of the deceased father of the petitioner, therefore, the revenue records are required to be revised. It is further submitted that consequently, the legal heirs of the deceased father of the petitioner are required to be substituted in the revenue records. The learned counsel for the petitioner has further submitted that the petitioner has filed a representation before the Circle Officer, Barun, Aurangabad, which is at Annexure 7 to the present writ petition, however no action is being taken by the Circle Officer, Barun, Aurangabad to rectify the revenue records.

The learned counsel for the respondent State has submitted that the Circle Officer, Barun, Aurangabad may be directed to act in terms of the order dated 25.07.2019, passed by the Bihar Land Tribunal in B.L.T. case no. 63 of 2019.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed of with a direction to the Circle Officer, Barun, Aurangabad to pass appropriate



orders upon the representation of the petitioner, annexed as Annexure 7 to the present writ petition, in terms of the order dated 25.07.2019, passed by the learned Bihar Land Tribunal, Patna in B.L.T. case no. 63 of 2019, within a period of four weeks of receipt/ production of a copy of this order.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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