

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.156 of 2019

Shiv Shankar Bhagat Son of Late Lakhan Bhagat, resident of Village P.O.
P.S.- Obra, District- Aurangabad Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Aurangabad.
3. The Additional Collector, Aurangabad.
4. The Circle Officer, Obra, District- Aurangabad.
5. Girija Bhagat S/o Banshi Bhagat.
6. Ashok Bhagat
7. Anil Bhagat
8. Arun Bhagat
All Sons of Girija Bhagat, All residents of Village Obra, P.O. + P.S.- Obra,
District- Aurangabad (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Respondent/s : Mr.Md.Khurshid Alam -Aag12

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioner and learned
State counsel.

2. This writ application has been filed to quash the
order dated 04.03.2016 passed by the Circle Officer, Obra in
Mutation Case No. 1311 of 2015-16.

3. At the very outset, learned counsel for the State
raises preliminary objection to the effect that an alternative
remedy is available to the petitioner by way of filing appeal
under Section 11 of the Bihar Land Mutation Act, 2011 against



the order impugned.

4. Learned counsel for the petitioner does not dispute the above proposition.

5. There is no justification coming forth as to why this writ application should be maintained, despite having remedy of statutory appeal available to the petitioner against the order impugned.

6. In the above view of the matter, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction.

7. The writ application stands disposed with an observation that the petitioner shall be at liberty to seek remedy before the appropriate forum as may be available to him in accordance with law.

8. It goes without saying that if any question of limitation arises before the competent authority, the same shall be considered taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India.

(Prabhat Kumar Singh, J)

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