

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2646 of 2023

1. Md. Nesaruddin Ansari Son of Md. Nezamuddin @ Md. Nazmuddin and Grandson of Late Md. Bashir Ali Resident of Bar Hussainganj, P.S.- Sherghati and District- Gaya.
2. Md. Mukhtar Alam Son of Md. Nezamuddin @ Md. Nazmuddin and Grandson of Late Md. Bashir Ali Resident of Bar Hussainganj, P.S.- Sherghati and District- Gaya.
3. Md. Iftekhhar Alam Son of Md. Nezamuddin @ Md. Nazmuddin and Grandson of Late Md. Bashir Ali Resident of Bar Hussainganj, P.S.- Sherghati and District- Gaya.
4. Md. Zulfakkhar Alam Son of Md. Nezamuddin @ Md. Nazmuddin and Grandson of Late Md. Bashir Ali Resident of Bar Hussainganj, P.S.- Sherghati and District- Gaya.
5. Md. Ekramul Haque Son of Late Md. Bashir Ali Resident of Bar Hussainganj, P.S.- Sherghati and District- Gaya.
6. Md. Anwar Ahmad Son of Late Md. Bashir Ali Resident of Bar Hussainganj, P.S.- Sherghati and District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Revenue and Lands Reforms Department, Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Circle Officer, Sherghati Block, Sherghati, Gaya.
4. The Circle Inspector, Circle Office, Sherghati, Gaya.
5. The Revenue Karamchari, Circle Officer, Sherghati, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mohammed Abu Haidar, Adv.
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 11-09-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present writ petition has been filed by the
petitioners seeking direction to the Circle Officer, Sherghati



Block, Sherghat, Gaya to mutate the name of petitioners and grant rent receipts for the lands which was subject matter of the judgment and decree of the Title Suit No.49 of 1997.

3. Learned counsel for the petitioners submits that the judgment and decree for the lands in question has come in their favour but even then the Circle Officer is not entering the name of petitioners. He further submits that it is the purchased lands of petitioner which are the subject matter of present case.

4. Learned counsel for the State submits that a categorical reply has come on behalf of the State that against the said decision of title suit a Title Appeal No.7 of 2023 has been preferred. He further submits that in the records of right, the nature of land is “Anabaad Bihar Sarkaar”.

5. In this view of the matter and particularly in the light of Section 6(12) of the Bihar Land Mutation Act, 2011 (Bihar Act 23 of 2011) this Court restrain himself to pass any order of mutation. The mutation shall be subject matter of Title Appeal No.7 of 2023.

6. With this observation, the present Writ Petition stands disposed off.

7. It is made clear that during pendency of the Title Appeal No.7 of 2023, both the parties shall restrain themselves



from creating any trouble for each other.

(Dr. Anshuman, J.)

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