

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2012 of 2023

Krishna Deo Naraian S/o Late Surajdev Narayan Resident of Village- Pakari
Esmail, P.O.- Ladaura Pakari, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Land and Revenue Department, Government of Bihar, Old Secretariat, Patna.
3. The Commissioner, Tirhut Division Muzaffarpur.
4. The Additional Collector, Land Reforms District- Muzaffarpur.
5. The Deputy Collector, Land Reforms Muzaffarpur East.
6. The Circle Officer, Circle Mushahari, District- Muzaffarpur.
7. Sri Rakesh Prasad Verma, S/o Late Om Prakash Verma Resident of Village- Pakari Ismail, P.S.- Sadar, District- Muzaffarpur, Presently living at Diwan Road, Kalyani Muzaffarpur, Mobile No.- 9430013303.
8. Srimati Sweta Devi @ Sweta Kumari, W/o Sri Praveen Kumar Singh Resident of Village- Tajpur, P.S.- Barunaj, District- Muzaffarpur, Mobile No.- 9334328228.
9. Vishwambhar Kumar Trivedi, S/o Lakshmi Narayan Trivedi Resident of Village- Rampur Dayal, P.S.- Pear, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kumod Kumar Shrivastaw
For the Respondent/s : Mr.Rishi Raj Sinha (Sc 19)
Mr. Birendra Prasad Singh, Ac to Sc 19

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 12-10-2023

1. Heard the learned counsel for the parties.

2. The present writ petition has been filed for
issuance of direction to the respondents to comply with the
order passed by the Deputy Collector, Land Reforms
Muzaffarpur East (respondent no. 5) in Mutation Appeal No.



97/2014-15 and 98/2014-15 by which the order passed by the respondent no. 6, namely, the Circle Officer, Mushahari in Mutation Case No. 5602/2006-07 and 5589/2006-07 has been set aside and direction has been given to pass a fresh order by measuring the land in question after considering all the concerned documents of all effected parties concerned and also after giving adequate opportunity of hearing to them.

3. Learned counsel for the petitioner submits that at this stage, petitioner is only interested in demarcation of land in his presence.

4. Learned counsel for the respondents submits that the Circle Officer, Mushahari has passed the final order in compliance with the order passed by Deputy Collector Land Reforms in Mutation Appeal. From the letter dated 12.04.2023 Annexure-B to the counter affidavit, it transpires that the said demarcation has been made in the absence of the petitioner.

5. In this view of the matter, this application is disposed of with direction to respondent no. 6, namely, the Circle Officer, Mushahari to do the measurement in presence of all the parties including this petitioner after giving due notice preferably within a period of three months from the date of receipt/production of a copy of this order.



6. With the aforesaid observation and direction, this application is disposed of.

(Prabhat Kumar Singh, J)

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