

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5275 of 2016

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1. Buchcha Rana and Anr Son of Late Mahadeo Rana.
 2. Ramdeo Rana, Son of Late Kantu Rana Both are Resident of Village- Tetariya, P.S. Chakai, P.O.- Bathpur, District- Jamui.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Deputy Collector, Land Reforms, Jamui.
3. The Circle Officer, Chakai Circle, District- Jamui.
4. Chitamani Rana, Son of Late Tulo Rana, Resident of Vilalge- Tetariya, P.S. and Circle- Chakai, District- Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate
For the Respondent/s : Mr. G.P. Ojha- Gp22

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner, State and the NHAI.

2. This writ application has been filed for setting aside the order dated 10.06.2015 passed in Jamabandi Case No. 1/15-16 passed by the circle Officer, Chakai, District – Jamui.

3. Learned counsel for the State raises preliminary objection to the effect that an alternative remedy is available to the petitioner by way of filing an appeal before the Deputy Collector, Land Reforms under ***Section 7 of Bihar Land Mutation Act, 2011*** which reads as:

7. Appeal. - (1) An Appeal against the



order of the Circle officer shall lie with the Land Reforms Deputy Collector within thirty (30) days from the date of the order appealed against.

(2) The Land Reforms Deputy Collector may condone the delay in filing appeals provided he is satisfied that there are sufficient reasons for the delay.

(3) The Land Reforms Deputy Collector shall not pass any order modifying, altering or setting aside the order appealed against unless the concerned parties concerned have been given a reasonable opportunity of being heard.

(4) The time limit for the disposal of a mutation appeal shall be thirty (30) working days from the date of the filing of the mutation appeal.

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

5. Taking into consideration the aforesaid facts of the case, this writ petition is disposed of with liberty to the petitioner to file an appeal before the Deputy Collector, Land Reforms, Jamui, i.e (respondent No. 2) along with all the relevant documents in support of the claim, within a period of six weeks from the date of receipt of this order.

6. In the event, such appeal is filed before the Deputy Collector, Land Reforms, Jamui, (respondent No. 2), the same



shall be disposed of in accordance with law after hearing all the parties preferably within a period of six months from the date of receipt/filing of the appeal.

(Prabhat Kumar Singh, J)

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