

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5115 of 2022

-
-
1. Raj Kumar Pathak, son of Sri Yugal Kishore Pathak, resident of Village- Mau, P.S. Tekari, District- Gaya
 2. Rewati Kant Pathak, son of Sri Yugal Kishore Pathak, resident of Village- Mau, P.S. Tekari, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Additional Collector-cum- Additional District Magistrate, Gaya.
3. The Deputy Collector of Land Reforms, Tekari, District- Gaya.
4. The Anchaladhikari, Tekari Anchal, District- Gaya.
5. Prem Ranjan, son of Late Ashok Kumar Mishra alias Ashok Kumar Singh, resident of Village- Mau, P.S. Tekari, District- Gaya.
6. Ravi Kant Pathak son of Sri Yugal Kishore Pathak, resident of Village- Mau, P.S. Tekari, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Sinha, Sr. Advocate Mr. Bhola Kumar, Advocate
For the Respondent/s	:	Mr. Md.Khurshid Alam, AAG-12 Mrs. Nutan Sahay, A.C to AAG-12

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-04-2023 Heard learned Senior counsel for the petitioners and

learned counsel for the respondents.

The petitioners have filed the instant application for
the following relief(s):-

*“A. For issuance of a writ in the nature of
certiorari quashing order dated 06.03.2022 passed
by the respondent no.2 in Mutation Revision Case
No.01/21-22 contained in ANNEXURE-3 whereby he
has confirmed the order dated 24.03.2021 passed by*



the respondent no.3 in Mutation Appeal No.01/M/19-20 (Annexure-2) which was filed against declining Mutation of the respondent no.5 vide order dated 04.01.2019 passed by the Anchaladhikari, Tikari, District-Gaya in Mutation Case No38/R27/2018-19 contained in Annexure-1.

B. For directing the parties to maintain status quo till the final decision of the Partition Partition Suit No.443 of 2015/86 of 2015 pending in the Court of the Learned Sub-Judge-IV, Gaya.

C. For passing any other order/s, command/s or appropriate writ/s which your lordships deem fit and proper in the facts and circumstances of the instant case.”

Learned counsel for the respondents submits that the petitioners have an equally alternate and efficacious remedy of filing an application against the order impugned before the Tribunal constituted under the Bihar Land Tribunal Act, 2009.

Having heard learned counsel for the parties, this Court is of the opinion that the petitioners have an alternate and efficacious remedy under the Bihar Land Tribunal Act, 2009.

Accordingly, this application is disposed of giving liberty to the petitioners to move an appropriate application under the said Act.

In case, such an application is filed within a period of three weeks from today, the Tribunal in considering the



limitation petition will take into consideration the period for which the instant case was being pursued by the petitioners in this Court.

(Partha Sarthy, J)

avinash/-

U			
---	--	--	--

