

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19257 of 2015

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Parmeshwar Lal Das Son of late Kushum Lal Das, Resident of Village-
Bhatheli, P.O.- Akamba, P.S.- Jalal Garah, District- Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director Consolidation ,Budh Marg, Patna.
3. The Deputy Director Consolidation, Budh Marg, Patna.
4. The Commissioner-cum-Secretary Land Reforms Finance and land Reforms
Department Bihar,Patna.
5. The Joint Director Consolidation , Purnea at Patna.
6. The District Collector ,Purnea,.
7. The Additional Collector-cum-Deputy Director, Consolidation, Purnea.
8. The Consolidation Officer, Purnea.
9. The Circle Officer, Jalal Garah Purnea
10. The Circle Officer, Kasba, Purnea

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Shankar Shrivastava, Advocate
For the State	:	Mr. Md. Raisul Haque, SC-10
		Mr. Md. Obedullah, AC to SC-10

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-09-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed seeking
direction to the respondent to create the Jamabandi/Mutation,
entry in Register-II of the Circle Office, Jalal Garah (Purnea)/
Kasba (Purnea) and also allow the petitioner to deposit the rent
of the land situated under Mauza-Vishntha-Thana No. 192,
Mauza-Bhateli- Thana No. 193, Mauza-Katheli-Thana No. 195.

3. Learned counsel for the petitioner submits that the land which is subject matter of the present case was subject to consolidation proceeding but after notification under Section 26(A) of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 and Rule 1958 possession has been handed over to the petitioner but even after filing representation before the Circle Officer, petitioner's name has not been entered in the mutation register/register-II and rent has also not been accepted. Counsel specifically submits that Revenue and Land Reform Department, Government of Bihar had issued different circulars time to time. He has annexed two circulars which is Annexure-7 and Annexure-8 of the writ petition. In that light decision has to be taken at the level of the Circle Officer but Circle Officer is kept mum.

4. Learned counsel for the State submits that Circle Officer is bound to follow the circular made at the level of Revenue and Land Reform Department, herein the present case which is Annexures-7 and 8.

5. In this view of the matter, this writ petition is disposed of directing the petitioner to file a fresh representation alongwith a copy of this order passed by this Court annexing all relevant documents as well as circulars annexed in this writ

petition within four months from today and Circle Officer, Jala Garah, Purnea is directed to take decision in the light of said circulars which is Annexures-7 and 8 of this writ petition and enter the name of the petitioner in the records of right and accept the rent. In case it has been found that petitioner is not entitle for the same then in that case Circle Officer, Jala Garah, Purnea is directed to pass a reasoned and speaking order within 60 days from the date of submission of the representation.

(Dr. Anshuman, J.)

ravishankar/-

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