

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10533 of 2020

Semanti Devi @ Shyamanti Devi, Wife of Mathura Prasad Gupta, resident of
Village- Naugadh, P.S.- Chakand, District Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate- Cum- Collector, Gaya.
2. The Additional Collector, District- Gaya.
3. The District Land Acquisition- Cum- Competent Officer, Gaya.
4. The Deputy Collector, Land Reforms, Sadar, District Gaya.
5. The Circle Officer, Sadar, District Gaya.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Ashok Kumar Mishra, Advocate
For the State	:	Mr. S.S.Khan, SC-25

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 04-12-2023

1. Heard learned counsels for the parties.

2. This writ application has been filed for a direction upon the Circle Officer, Sadar, District- Gaya (Respondent No. 5) to mutate the land in question in the name of the petitioner, which she had already applied on 08.11.2017.

3. A counter-affidavit has been filed on behalf of the State stating therein that there remains no land in the demand running in the joint name of Vishwanath Singh and others with respect to vended land and hence the application filed by the petitioner has been rejected. It is further submitted that against the order passed in mutation case, the petitioner has got statutory alternative efficacious remedy of appeal under Section 7 of the Bihar Land Mutation Act, 2011 before the Deputy



Collector, Land Reforms, Sadar, District- Gaya (Respondent No. 4).

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

5. In the above view of the matter, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction.

6. This writ application is disposed of with liberty to the petitioner to move before the Deputy Collector, Land Reforms, Sadar, District- Gaya (Respondent No. 4) as provided under Section 7 of the Bihar Land Mutation Act, 2011 within a period of six weeks from today.

7. It goes without saying that if the petitioner files her representation before the Deputy Collector, Land Reforms, Sadar, District- Gaya (Respondent No. 4) within the stipulated time and any question of limitation arises, the same shall be considered, taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India.

(Prabhat Kumar Singh, J)

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