

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11785 of 2022

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Suaib Ibrahim @ Md. Shoaib Ibrahim son of Late Yusuf Ibrahim, resident of village Sabait, Post Office Sabait, Police Station Nalanda, District Nalanda.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Nalanda at Biharsharif.
3. The Additional District Magistrate, Nalanda at Biharsharif.
4. The Sub Divisional Officer, Rajgir, District - Nalanda.
5. The Deputy Collector, Land Reforms, Rajgir, District Nalanda.
6. The Circle Officer, Silao, District Nalanda.
7. The Revenue Clerk, Silao Block, District Nalanda.
8. The Superintendent of Police, Nalanda at Biharsharif, District Nalanda.
9. The Station House Officer, Nalanda Police Station, District Nalanda.
10. Md. Masir Alam, Son of Late Abdul Aziz, Resident of Mohalla All- Shifoc Maternity and Surgical Hospital, Nalanda, Nalda More, near Diara Jama Masjid, Post Office and Police Station Biharisharif, District - Nalanda.
11. Md. Shamshad Alam, Son of Late Abdul Aziz, Resident of Mohalla All-Shifoc Maternity and Surgical Hospital, Nalanda, Nalda More, near Diara Jama Masjid, Post Office and Police Station Biharisharif, District - Nalanda.
12. Md. Sarafraz Alam, Son of Late Abdul Aziz, Resident of Mohalla All-Shifoc Maternity and Surgical Hospital, Nalanda, Nalda More, near Diara Jama Masjid, Post Office and Police Station Biharisharif, District - Nalanda.
13. Nasireen Bano, Wife of D. Md. Imran, Resident of Village and Post office Sabait Police Station Nalanda, District Nalanda at Biharsharif.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Wasi Ahmad Khan, Advocate
For the Respondent/s	:	Mr.Mukul Prasad, AC to Gp18
for respondent no.10 to 13	:	Mr. Rakeshwar Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 5 22-11-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner has prayed for a direction to the State respondents to cancel mutation of respondent no.13 with respect to the land mentioned in paragraph 1(i) of the writ petition.



3. At the outset, learned counsel for the State raises preliminary objection to the effect that the petitioner has got statutory alternative remedy before the Additional Collector under the Bihar Land Mutation Act, 2011 as such, without exhausting the remedy of revision, no writ shall lie.

4. The learned counsel for the petitioner does not dispute the aforesaid proposition of law.

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 petition is disposed of with a direction and observation that petitioner shall have liberty to move before the appropriate authority within a period of 6 weeks from today.

7. It goes without saying that if any question of limitation arises before the competent authority, the same shall be considered, taking into consideration the fact that the petitioner was pursuing the issue before this Court.

(Prabhat Kumar Singh, J)

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