

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.115 of 2023

1. SANJAY KUMAR SINGH SON OF LATE TRIVENI PRASAD SINGH
RESIDENT OF VILLAGE- BHARATHI, P.O.- BHARATHI, POLICE
STATION- SIMARI, DISTRICT- DARBHANGA.
2. VIJAY KUMAR SINGH, SON OF LATE TRIVENI PRASAD SINGH
RESIDENT OF VILLAGE- BHARATHI, P.O.- BHARATHI, POLICE
STATION- SIMARI, DISTRICT- DARBHANGA.

... .. PETITIONER/S

VERSUS

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL SECRETARY,
LAND REFORMS AND REVENUE DEPARTMENT, GOVERNMENT OF
BIHAR, PATNA.
2. THE PRINCIPAL SECRETARY, LAND REFORMS AND REVENUE
DEPARTMENT, GOVERNMENT OF BIHAR, PATNA.
3. THE COLLECTOR-CUM-DISTRICT MAGISTRATE, DARBHANGA.
4. THE ADDITIONAL COLLECTOR, DARBHANGA.
5. THE DEPUTY COLLECTOR LAND REFORM, DARBHANGA SADAR,
DARBHANGA.
6. THE CIRCLE OFFICER, SINGHWARA, DISTRICT- DARBHANGA.
7. NARENDRA NARAYAN SINGH, SON OF LATE BRIJBIHARI SINGH
RESIDENT OF VILLAGE- BHARATHI, P.O.- BHARATHI, POLICE
STATION- SIMARI, DISTRICT- DARBHANGA.

... .. RESPONDENT/S

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar , Advocate
For the Respondent/s : Mr. Rishi Raj Sinha (Sc 19)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 08-12-2023

Heard the learned counsel for the parties.

2. This writ application has been filed for the
following reliefs:-



(i). For issuance of writ, order or direction for setting aside order dated 08.01.2021 (as contained in Annexure-6) passed in Mutation Case No. 3109 R27/2020-2021 by the Circle Officer, Singhwara, Darbhanga whereby the mutation petition of the petitioners for mutation of total 14.18 decimals land pertaining to Khata No.135 Plot No. 1828 Area 12 Decimals and Khata No.585 Plot No. 1833 Area 2.18 Decimals of Mauza-Bharathi acquired through Sale Deed No.9946 dated 03.12.2020 has been rejected.

(ii). For issuance of a writ, order or direction for setting aside order dated 16.08.2021 passed by the Deputy Collector, Land Reform, Sadar, Darbhanga in Mutation Appeal No. 29 of 2020-21 whereby the appeal of the petitioners against the order dated 08.01.2021 passed in Mutation Case No. 3109 R27/2020-2021 by the Circle Officer, Singhwara, Darbhanga has been rejected by confirming the same.

(iii). For issuance of a writ, order or direction for setting aside order dated 06.05.2022 passed by the Additional Collector, Darbhanga in Mutation Revision Case No. 04/2022 whereby the revision of the petitioners filed against the Order dated 16.08.2021 passed by the Deputy Collector, Land Reform, Sadar, Darbhanga in Mutation Appeal No. 29 of 2020-21, has



been rejected by holding therein that the complicated question of title appears upon the land in question.

(iv). For issuance of a writ, order or direction commanding the respondents to allow the mutations of the petitioners of the land of Khata No.135 Plot No. 1828 Area 12 Decimals and Khata No.585 Plot No. 1833 Area 2.18 Decimals of Mauza- Bharathi acquired through Sale Deed No 9946 dated 03.12.2020.

3. At the very outset, learned counsel for the State submits that petitioner has statutory alternative remedy of making application before Bihar Land Tribunal against the order which are impugned.

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

5. In the aforesaid facts and circumstances of the case, this writ application is disposed of with an observation that petitioner is at liberty to move before the competent authority which may be available to him in accordance with law.

6. It is made clear that petitioner approaches the appropriate forum, the concerned authority/forum would have regard to the present proceeding being pursued by the petitioner,



while considering any issue relating to condoning of delay, if applicable.

7. Accordingly, this writ application stands disposed of.

(Prabhat Kumar Singh, J)

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