

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17045 of 2022

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Shravan Prasad, S/o Late Parmeshwar Mahto, Resident of Village-
Bhusbhusia, P.O.- Chilam, P.S. Sherghati, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms and Revenue Department, Govt. of Bihar.
2. District Magistrate cum Collector, Gaya.
3. The Deputy Collector, Land Reforms, Sherghati, Gaya.
4. The Circle Officer, Block- Sherghati, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Shiv Pratap, Advocate
For the State	:	Mr. Rishi Raj Sinha, SC-19
		Mr. Saurabh Kumar, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-12-2023

1. Heard learned counsels for the parties.

2. This writ application has been filed for the

following reliefs:-

- “(I) For issuance of a writ in the nature of MANDAMUS or any other appropriate writ directing Respondent No. 4 for registration of petitioner’s mutation case u/s 3(3) of Bihar Land Mutation Act, 2011 and for early disposal of the same pursuant to the final decree passed by learned Munsif Sherghati, Gaya, on 26.02.2001 in T.S. No. 141 of 1993 and 360/1993.
- (II) For issuance of a writ in the nature of MANDAMUS directing the Respondent authorities to enter name of the petitioner in survey/revenue records pertaining to Khata No. 158, Plot No.-798, 818, 826, 827 & 828, Area- 2 Acre 53 Decimal for the purpose of paying revenue rent to the government.
- (III) For issuance of a writ order or direction in the nature of mandamus directing the Respondent authorities



not to give effect to the entry made in Khatian which has been prepared in survey conducted in the year 1970.

- (IV) For issuance of a writ of and/or in the nature of mandamus calling upon the Respondents to produce entire records of case so that on perusal of the same, conscionable justice may be administered so that petitioner's raiyati over the plot no. 798, 818, 826, 827 & 828 pertaining to Khta No. 158 situated at Mauza- Bhushbusia, District-Gaya, be not be deprived of his raiyat interest and possession.
- (IV) For any other appropriate relief/reliefs to which the petitioners are found entitled in the facts and circumstances of the case.”

3. It is contended on behalf of the petitioner that the Circle Officer, Block- Sherghati, District- Gaya (Respondent No. 4) on the application filed on behalf of the petitioner, issued notice on 30.06.2011 inviting objections from people in general in Rent Fixation Case No. 07/2011-12 pertaining to the property in question. However, after issuance of the said notice, no further proceeding has been done by the Circle Officer, Block- Sherghati, District- Gaya (Respondent No. 4) and he is simply sitting over the matter.

4. Considering the limited prayer of the petitioner, this writ application is disposed of with a direction to the Circle Officer, Block- Sherghati, District- Gaya (Respondent No. 4) to dispose of the Rent Fixation Case No. 07/2011-12 after hearing the parties, in accordance with law, preferably within a period of



six months from the date of receipt/production of a copy of this
order.

(Prabhat Kumar Singh, J)

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