

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18506 of 2022

Uma Shankar Singh, Advocate Son of Late Kedar Nath Yadav @ Kedar Nath Singh permanent Resident at village and P.O. Dalsagar, P.S. Buxar Industrial, District - Buxar, Bihar - 802116 and at present address Flat No. 2/C, SHAILKUNJ Apartment, Mangalam, Baily Road, Saguna, Danapur, Patna - 801503.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Buxar.
2. Dy. Collector Land Reforms, Buxar.
3. The Circle Officer, Buxar Sadar, Naya Bazar, Buxar.
... .. Respondents/1st set.
4. Gouri Shankar Prasad Son of Late Ram Parikha Yadav, Resident of Village and P.O. Dalsagar, P.S. Buxar Industrial, District - Buxar, Bihar - 801116.
5. Shiv Pratap Singh, Son of Late Ram Parikha Yadav, Resident of Village and P.O. Dalsagar, P.S. Buxar Industrial, District - Buxar, Bihar - 801116.
6. Sunil Kumar Singh, Son of Late Ram Parikha Yadav, Resident of Village and P.O. Dalsagar, P.S. Buxar Industrial, District - Buxar, Bihar - 801116.

... .. Respondents/2nd set.

Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh (In Person)
For the Respondent/s : Mr. Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 04-09-2023

Heard learned counsel for the petitioner and
learned counsel for the State.

2. The present writ petition has been filed for
quashing of the order dated 18.05.2021 passed in Mutation Case
No.5363 R27/2020-2021/Buxar by the Circle Officer, Buxar.

3. Learned counsel for the petitioner submits that
prior to filing of the said mutation case, he has moved before the
Bihar Land Tribunal in Case No.664 of 2019 but it has been



rejected solely on the ground that Title Suit No.414 of 2011 is pending in the Civil Court, Buxar and it was directed that the parties should await and abide by the final order passed by the competent civil court.

4. Learned counsel for the State submits that under normal circumstances the remedy against the order passed by Circle Officer in Mutation Case under the Bihar Land Mutation Act, 2011 lies to the Deputy Collector, Land Reforms by way of filing appeal but here position is something different. He submits that vide Annexure-6, the petitioner has challenged the order dated 03.03.2021 passed in BLT Case No. 664 of 2019 again before the Bihar Land Tribunal being BLT Case No.19 of 2022 about which there is a categorical finding of the Bihar Land Tribunal that the Tribunal has no jurisdiction to review or modify its own order dated dated 03.03.2021 passed in BLT Case No.664 of 2019, as such the order passed by Bihar Land Tribunal in BLT Case No.664 of 2019 has been affirmed and the said order has not challenged before any higher authority nor the BLT Case No. 19 of 2022 was challenged before any higher authority. In both the BLT cases, the Bihar Land Tribunal has repeatedly hold that the parties should await and abide by the final orders passed by the competent civil court in Title Suit No.



414 of 2011. The Circle Officer in mutation Case No. 5363 R27/2020-2021/Buxar vide order dated 18.05.2021 has repeated the same thing and categorically held that the action shall be subject to the order passed by the Civil Court in Title Suit No.414 of 2011.

5. In this view of the matter, this Court finds no merit in this case, therefore, the present Writ Petition stands dismissed.

(Dr. Anshuman, J.)

Ritik/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06/09/2023
Transmission Date	NA

