

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2436 of 2023**

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Santosh Devi wife of Kameshwar Sharma, Resident of Village- Gaudarh, P.S.-  
Shahpur, Anchal- Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Department of Revenue, Bihar, Patna.
3. The District Magistrate, Bhojpur.
4. The Deputy Land Development Collector, Jagdishpur, Bhojpur.
5. The then Circle Officer, Shahpur, Bhojpur.
6. The then Revenue Clerk, Shahpur, Bhojpur.
7. The then Circle Inspector, Shahpur, Bhojpur.
8. The Present Circle Officer, Shahpur, Bhojpur.
9. The Present Circle Inspector, Shahpur, Bhojpur.
10. The Present Revenue Clerk, Shahpur, Bhojpur.
11. Binod Singh, son of Munna Yadav, Resident of Village- Shahpur, P.O.-  
Shahpur, P.S.- Shahpur, District- Bhojpur.
12. Umrawati Devi, wife of Shri Shivjee Tiwari, Resident of Village- Dhamwal,  
P.O.- Chamarpur, P.S. and Anchal- Shahpur, District- Bhojpur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Surendra Kumar Mishra, Adv.  
For the Respondent/s : Mr. Raj Kishore Roy, (GP-18)

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      11-07-2023                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The present writ petition has been filed for quashing  
the order dated 13.06.2022 passed by Respondent No.4 in  
Mutation Appeal No. 162 of 2021-22 whereby and whereunder  
Respondent No.4 had pleased to confirm the Order of  
Respondent No.5 filed Online Mutation Case No. 1417 of 2020-  
21 on 18.11.2022, order dated 22.01.2021.

Counsel for State submits that the law which is  
applicable in the present case is Bihar Land Mutation Act, 2011.

He submits that under the law, the order under challenge is revisable before the Additional Collector in revision case.

Counsel for petitioner in response submits that he has already filed the Mutation Revision No. 23 of 2022-23 before the Additional Collector, Bhojpur which is still pending and the Additional Collector the sat over the matter and had not passed any order due to this reason, the petitioner has no option but to move before this Court.

According to law of land, the mutation appeal is challengeable in mutation revision under Section 8 of the Bihar Land Mutation Act, 2011(Bihar Act 23 of 2011) and the petitioner has rightly moved before the revision. Therefore, without entering into merit or demerit of this case, this Court is disposing of this writ petition directing the Additional Collector, Bhojpur before whom the revision case of petitioner is pending, to pass order on merit in this case within 60 days from the date of production of the order.

With this direction, the present writ application is hereby disposed of.

**(Dr. Anshuman, J)**

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