

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1856 of 2017

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Nand Kishore Chaudhary Son of Sumeshwar Chaudhary, Residents of
Village- PO and PS- Lauriya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, West Champaran.
3. The Deputy Collector Land Reforms, West Champaran.
4. The Circle Officer, Lauriya, West Champaran.
5. Lal Babu Prasad, son of Late Nathuni Sah, Resident of Village, P.O. and PS-
Lauriya, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Respondent/s : Mr. Manoj Kumar Sinha, A.C. to SC-19

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL JUDGMENT

Date : 01-08-2024

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

2. Following relief(s) have been prayed for in paragraph
No. 1 of the present writ application:

*“I. For quashing of order dated
08.07.2000 passed by DCLR, Narkatiaganj
(West Champaran) in mutation appeal
no.34/1999- 2000 whereby the order passed
by Circle Officer, Lauria dated 13.07.99
passed in mutation case no.196/1998-99
has been quashed.*



ii. That for setting aside the order dated 17.12.13 passed by the Circle Officer, Lauriya whereby Jambandi no.761 standing in name of the petitioners have been cancelled ignoring the fact that TS No.137 of 2014 is pending between the parties for adjudication before learned Munsif, Narkatiyaganj wherein order of DCLR has been challenged by the petitioner.”

3. Learned counsel for the State, referring to paragraph Nos. 8 & 9 of the counter affidavit filed on behalf of respondent Nos. 2 to 4, submits that the Circle Officer, Lauriya passed an order dated 17-12-2023, by which the Jamabandi No. 761 running in the name of the petitioner was cancelled. The petitioner filed Title Suit No. 137/2014 after the order passed by the Circle Officer, Lauriya dated 17-12-2023. Learned counsel further submits that the petitioner has alternative remedy to file revision before the Additional Collector/Collector under Section 8 of the Bihar Land Mutation Act, 2011 against the order dated 08.07.2000 passed by D.C.L.R., Narkatiaganj, West Champaran.

4. Considering the fact that the petitioner is having an alternative remedy, the petitioner is directed to file revision application along with the copy of this order before the Collector/Additional Collector as per the provision of Section 8 of the Bihar Land Mutation Act, 2011 within a period of four



weeks along with application for condonation of delay in filing the revision and the concerned Collector/Additional Collector after considering the fact that the petitioner was pursuing his remedy before this Court, will condone the delay and dispose of the revision application in accordance with law.

5. With the aforesaid observation/direction, the present writ application stands disposed of.

(Rudra Prakash Mishra, J)

Pankaj/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	06.08.2024
Transmission Date	

