

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5120 of 2017

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Lal Muni Devi D/o Late Ram Dahin Sao, Wife of Sri Nand Kishore Sao ,
resident of village - Feku Bigha, P.O. Jalpura, P.S. Arwal, District - Arwal

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department,
Govt. of Bihar, Patna.
2. The Secretary, Revenue Department, Government of Bihar, Patna.
3. The Collector, District Arwal.
4. The Circle Officer, Circle - Arwal, District – Arwal.
5. The Circle Inspector, Circle - Arwal, District – Arwal.
6. Baby Devi, D/o of Late Ramchandra Prasad Gupta, Wife of Manoranjan
Prasad, resident of village - Feku Bigha, P.O. Jalpura, P.S. Arwal, District –
Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arvind Prasad Singh, Adv.
For the State	:	Mr. Dhurajati Kr. Prasad, GP14
For the Resp. No.6	:	Mr. Arvind Kr. Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL JUDGMENT

Date : 30-07-2024

Heard learned counsel for the parties.

2. In this writ petition, the petitioner has prayed
for following relief:-

*"1. That this is an application praying for
issuance of writ / writ s mandamus or appropriate
in nature for quashing the order dated
11.02.2017 passed by the Circle officer Arwal,
District Arwal in mutation case no. 1349/2016-*



17 whereby and where under the circle, officer Arwal has passed order and permitted for mutation of land in question in favour of private respondent no.6 ignoring the earlier order in same matter passed by the authority and ignoring the documentary proof, also without taken consent of the petitioner and her own sister who is equal sharer whenever the said land is ancestral landed property of the petitioner and private respondent no.6 which has not been partitioned in life time of the father of the petitioner and father of the private respondent no.6."

3. At the outset, learned counsel for the State as well as respondent no.6 by way of filing their respective counter affidavit have submitted that the petitioner has an alternative remedy of filing an appeal before the Deputy Collector Land Reforms under Section 7 of the Bihar Land Mutation Act, 2011.

4. In that view of the matter, without going into the merits of the case, this writ petition is dismissed with a liberty to the petitioner to file an appeal before the Land Reforms Deputy Collector, Arwal.

5. It goes without saying that if any question of



limitation arises before the competent authority, the same shall be considered taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India.

(Rudra Prakash Mishra, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.08.2024
Transmission Date	

