

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3338 of 2017

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Aash Mohammad Mian Son of Late Ali Hussain Mian, Resident of Village-
Lohati, P.O.- Rajapur, P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. District Collector, Gopalganj.
3. Additional Collector, Gopalganj.
4. Deputy Collector Land Reforms Hathua, District- Gopalganj.
5. Circle Officer, Panchdeori, District- Gopalganj.
6. Suhebjan Ansari, Son of Aliar Ansari.
7. Rustam Ansari, Son of Sahebjan Ansari
8. Answar Ansari, Son of Sahebjan Ansari Respondent no. 6 to 9 are the residents of Village- Lohati, P.O.- Rajapur, P.S.- Kateya, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Respondent/s : Mr. Subhash Chandra Yadav, GP-15

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

ORAL JUDGMENT

Date : 01-08-2024

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

2. The present writ application has been filed for
following relief(s):-

*“(i) For issuance of writ in the nature of
certiorari for quashing of order dated 22.05.2008
passed by Deputy Collector Land Reforms, Hathua
in Mutation Appeal No. 34 of 2007 whereby the
appeal filed by the petitioner has been dismissed*



and affirmed order of Circle Officer, Panchdeori in Mutation Record No. 1394/2006-07 and directed the Circle Officer, Panchdeori to stay the Jamabandi in the name of the petitioner with immediate effect.

(ii) For issuance of writ in the nature of certiorari for quashing of order dated 08.03.2016 passed by learned Additional Collector, Gopalganj in Mutation Revision Case No. 19 of 2008/6 of 2011-12 whereby Revision Application filed by the petitioner has been dismissed.

(iii) For issuance of writ in the nature of mandamus direction to the Respondent authority concerned to restore Jamabandi in the name of the petitioner for the land in question mentioned in para 3 of the writ petition.”

3. At the outset, learned counsel for the State submits that the petitioner is having an alternative remedy by way of filing application before the Bihar Land Tribunal under Section 9 of the Bihar Land Tribunal Act, 2009.

4. Considering the fact that the petitioner is having an alternative remedy, the petitioner is directed to file application



before the Bihar Land Tribunal under Section 9 of the Bihar Land Tribunal Act, 2009 within a period of four weeks along with application for condonation of delay, and the concerned Bihar Land Tribunal, after considering the fact that the petitioner was pursuing his remedy before this Court, will condone the delay and dispose of the same in accordance with law.

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

(Rudra Prakash Mishra, J)

Alok Verma/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	09.08.2024
Transmission Date	N/A

