

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13230 of 2016

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Ram Babu Prasad Son of Late Shambhu Sah Resident of Narainapur, Police
Station Ramnagar, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector/District Magistrate, West Champaran at Bettiah
3. The Additional Collector/Additional District Magistrate, West Champaran at Bettiah
4. The Sub - Divisional Magistrate, Bagaha, East Champaran at Bettiah
5. The Deputy Collector Land Reforms, Bagaha, District - West Champaran at Bettiah
6. The Circle Officer, Ramnagar, District - West Champaran at Bettiah

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Zainul Abedin, Adv.
For the Respondent/s : Mr. Dhurjati Kr. Prasad, GP14

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL JUDGMENT

Date : 08-07-2024

Heard learned counsel for the parties.

2. In this writ application, learned counsel for the
petitioner has prayed for following relief:-

*(i) For issuance of a writ in the nature of
Certiorari for quashing of Mutation Appeal No. 16 of
2016-17 pending before the Deputy Collector Land
Reforms, Bagaha, West Champaran at Bettiah.*

*(ii) For issuance of a writ in the nature of
Certiorari for quashing of Notice dated 11.06.2016 in
Mutation Appeal No. 16 of 2016-17 issued to the
petitioner by the Deputy Collector Land Reforms,
Bagaha, West Champaran at Bettiah.”*



3. The brief fact of the case is that the petitioner, after purchase of the land, approached the Circle Officer for mutation of the land being Mutation Case No. 1243 of 2015-16 in which general notice was issued and a report was called for from the relevant Karamchari. The Halka Karamchari, after enquiry and examination of the papers, recommended the mutation in favour of the petitioner. Learned counsel for the petitioner further submits that on 10.06.2016, the Circle Officer wrote a letter to the Deputy Collector Land Reforms requesting to cancel the Jamabandi in Jamabandi Case No. 1243 of 2015-16 and the Deputy Collector Land Reforms, Bagaha treating the aforesaid letter as an appeal instituted Appeal No. 16/2016-17 and issued notice to the petitioner on 11.06.2016.

4. Learned counsel for the petitioner submits that the aforesaid Appeal No. 16/2016-17 is still pending consideration before the Deputy Collector Land Reforms, Bagaha and the same has not been disposed of as yet.

5. Learned counsel for the State is not in a position to state as to whether the aforesaid Appeal No. 16/2016-17 pending before the Deputy Collector Land Reforms, Bagaha stands disposed of or not.

6. Having considered the facts and circumstances of



the case, this writ application is disposed of with a direction to the Deputy Collector Land Reforms, Bagaha (Respondent No.5) to dispose of the Mutation Appeal No. 16/2016-17, if not already disposed of, after affording an opportunity of hearing to the parties concerned, by passing a reasoned and speaking order in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

(Rudra Prakash Mishra, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.07.2024
Transmission Date	

