

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16431 of 2017**

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Kalawati Devi wife of Late Lakshuman Mahto, resident of Village- Sughar Mahchhi, P.S.- Gopalpur, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, West Champaran, Bettiah.
3. The Circle Officer, Chanpatiya.

... .. Respondent/s

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**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Bhagya Narayan Jha, Advocate |
| For the Respondent/s | : | Mr. Rishi Raj Sinha , SC-19      |
|                      | : | Mr. Saurabh Kumar, AC to SC-19   |

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

**ORAL JUDGMENT**

**Date : 22-08-2024**

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.

*“1.i. To issue a writ in the nature of mandamus to directing/commanding to the respondent to issue a rent receipt after accepting the proper rent on the basis of mutation held in favour of the petitioner.*

*ii. To issue appropriate writ/writs, order/orders, direction/directions to the respondents as Lordship deemed fit and proper in the fact and circumstances of the case.”*



3. Learned counsel for the petitioner submits that vide order dated 18.04.2009 passed in Probate Case No. 24/2006 by the order of Addl. District Judge, Fast Track Court, IInd Bettiah, West Champaran, probate has been formed in favour of the petitioner after performing all paraphernalia. Learned counsel further submits that on 22.06.2011 a revenue camp court was organized by Circle Officer, Chanpatiya at Gram Panchayat, Lakhaura and 34 persons along with this petitioner presented the application along with document (Probate deed), which was, after due verification by Halka Karamchari, land has been mutated to all applicant along with petitioner. Thereafter, a continuous khatian was prepared in which the name of petitioner finds place at Serial No. 24(Annexure-3). Learned counsel further submits that first rent receipt has been issued on 21.06.2017 in the name of the petitioner. Learned counsel further contends that thereafter, petitioner approached before respondent authority on several occasion for issuing a rent receipt but Circle Officer is neither issuing a rent receipt nor assigning any reason for not issuing the same. Learned counsel lastly submits that petitioner is in peaceful possession of the land and no one is claiming over the said land. Learned counsel therefore, prays that concerned respondent authority may be



directed to issue a rent receipt after accepting the proper rent on the basis of mutation held in favour of the petitioner.

4. Learned counsel for the State raised no objection to the prayer made by the learned counsel for the petitioner.

5. Having heard the submissions canvassed by the learned counsel for the parties and on perusal of the Annexure Nos. 1 to 4, it appears that the first rent receipt has been issued in the name of petitioner on 21.06.2017. Considering the aforesaid facts and circumstances, the Circle Officer, Chanpatiya (Respondent No. 3 herein) is directed to issue rent receipt in accordance with law in the name of the petitioner within a period of three months from the date of receipt/production of a copy of this order after ensuring that the case fit to issue rent receipt in the name of the petitioner upon perusal of the documents filed on behalf of the petitioner.

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

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | N/A        |
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