

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19628 of 2016

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Sirbat Perween W/o Md. Zuber Alam Khan, resident of village - Kaloena, P.S. Gurua, Distt. Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Distt. Magistrate, Gaya
3. The Distt. Collector Land Reforms Distt. - Gaya
4. The Circle Officer Anwarganj, P.S. Sherghati, Distt. Gaya
5. Jahangir Alam @ Jani, S/o Md. Jamil Ahmed, resident of Mohalla - Anwarganj Ramna Sherghati, P.S. Sherghati, Distt. - Gaya
6. Mahesh Kumar, S/o Ram Sagar Prasad, resident of vill. - Gularia Chak, P.S. Civil aerodrum, P.S. Magadh Medical College, Distt. - Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam- Aag12

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 16-07-2024

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) For quashing the order dated 31.08.2016 passed in Mutation Case No. 1544/2016-17 by Circle officer (Respondent No. 4) which is in favour of private respondents.

(ii) For restrain the private respondents from interfering over the possession of the petitioners land by virtue of purported order dated 31.08.2016 passed by respondent No. 4, though the petitioner has purchased the land



*through registered sale deed dated 30.09.1997.
(iii) For pass such order/orders which fit deem
and proper in the facts and circumstances of
the case.”*

3. At the outset, learned counsel for the State submits that the petitioner is having an alternative remedy by way of filing appeal before the D.C.L.R. under Section 7 of the Bihar Land Mutation Act, 2011.

4. Considering the above that the petitioner is having an alternative remedy, the petitioner is directed to file appeal before the D.C.L.R., (respondent No. 3) as per the provisions of Bihar Land Mutation Act, 2011 within a period of four weeks along with application for condonation of delay in filing the appeal and the D.C.L.R. after considering the fact that petitioner was pursuing his remedy before this Court will condone the delay and dispose of the appeal 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	22.07.2024
Transmission Date	

