

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3609 of 2024

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Md. Shahnawaz S/o Late Md. Musiuzzaman, Resident of Vill and P.O.-Mahua
Mukundpur, near Pahar Tola, P.S.-Mahua, District-Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reforms and Revenue.
2. The Collector, Vaishali.
3. The Addl. Collector, Vaishali at Hajipur.
4. The D.C.L.R. Mahua, Vaishali.
5. The Circle Officer, Mahua, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Singh, Advocate
For the Respondent/s : Mr. Addl. Advocate General (5)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-06-2024 Heard the parties.

2. The present writ petition has been preferred for the
grant of following relief/s:-

*“(i) For issuance of an appropriate
order/direction/writ in the nature of mandamus
for directing the concerned respondent
authorities to ensure the compliance of the order
dated 05.03.2021 passed by the DCLR, Mahua
in Mutation Appeal case no.87/2019-20 in
favour of the petitioner (Annexure -2) and which
was upheld vide the order dated 27.06.2022
(Annexure-3) passed by the Addl. Collector,*



Vaishali in the Revision case no. 22/2021-22 whereby and where under both the courts have directed the respondent no. 4 to pass an appropriate order within 30 days in accordance with the provisions contained in the Bihar Land Mutation Act, 2011.

(ii) For any other relief/s for which the petitioner may found to be entitled with in the facts and circumstances of this case.”

3. It is the case of the petitioner that despite the order passed by the DCLR, Mahua (Vaishali) on 05.03.2021 in Mutation Appeal Case No. 87/2019-20 (Annexure P/2 to the petition), the Circle Officer, Mahua, Vaishali (respondent no. 5), he has not passed any order.

4. Learned State counsel Mr. Vishambhar Prasad submits that from the document on record, it is clear that the petitioner/his brother Gulam Haider Usmani in whose favour the order was passed after putting in an application never approached the Circle Officer, Mahua and there is nothing on record to show anything further. He, however, accepts that once the order of the DCLR, Mahua is there, the Circle Officer, Mahua was duty bound to take the matter to its logical conclusion.

5. In that background, the writ petition stands



disposed of directing the Circle Officer, Mahua to take up the matter, if still not taken up and after going through the order passed by the DCLR, Mahua dated 05.03.2021 and after hearing all the concerned parties will immediately take the matter to its logical conclusion well within three months from the date, the copy of the order is provided to him.

6. Let a copy be sent to the Collector, Vaishali for his perusal and necessary action to see that the orders of the DCLR (Deputy Collector Land Reforms) in his district is not been complied by the Circle Officer, Mahua, if the claim of the petitioner is to be accepted.

(Rajiv Roy, J)

Adnan/-

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