

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6006 of 2023

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Pramod Chandra Deva, Son of Late Krishna Govind Singh, Resident of
Village-Anaith, Police Station-Nawada, Ara, District-Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Deputy Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The Collector-cum-District Magistrate, Bhojpur, Ara.
5. The Additional Collector, Revenue, Bhojpur, Ara.
6. The Land Reforms Deputy Collector, Bhojpur, Ara.
7. The Circle Officer, Ara Sadar Anchal, District-Bhojpur, Ara.
8. The Revenue Officer, Ara Sadar Anchal, District-Bhojpur, Ara.
9. The Circle Inspector, Ara Sadar Anchal, District-Bhojpur, Ara.
10. The Halka Karamchari, Anaith Mouza within Ara Sadar Anchal, District-Bhojpur, Ara.
11. Smt. Premlata Devi, Wife of Shri Umesh Singh, Resident of Village-Tulsi Tola, Jitoura, Piro, Police Station, District-Bhojpur, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Ranjit Kumar Singh, Advocate
For the State	:	Mr. Rishi Raj Sinha, SC-19
		Mr. Saurabh Kumar, AC to SC-19
For Respondent No. 11	:	Mr. Chandrashekhar Verma, Advocate
		Mr. Radha Mohan Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 15-01-2024

1. Heard learned counsels for the parties.

2. This writ application has been filed for commanding the respondents to sustain Jamabandi No. 147 in the name of the petitioner created way back in Mutation Case No. 1159 of 2012-13 on the basis of Law of Inheritance in



favour of the petitioner in terms of decree dated 12.02.1993 passed by the learned Sub-Judge-1, Ara in Title Suit No. 299 of 1992, with reference to the lands appertaining to Khata No. 146, corresponding Khesra Nos. 2157, 1838, 1875 and 2160, measuring area- 0.79 decimals, situated under Mauza- Anaith, District- Bhojpur, which has been allowed to be mutated in favour of the petitioner as per Section 4 of the Bihar Land Mutation Rules, 2012.

3. On the other hand, learned counsels appearing on behalf of the respondents submits that being aggrieved by the order passed in Mutation Case No. 7515 of 2012-13 in favour of private Respondent No. 11 for the land appertaining to Khata No. 146, corresponding Khesra No. 2157, area- 0.22 decimals, situated under Mauza- Anaith, District- Bhojpur, the petitioner has already filed Mutation Appeal No. 185 of 2022-23 in the court of learned D.C.L.R., Ara Sadar and the aforesaid appeal has already been dismissed vide order dated 22.07.2023. It is next submitted that against the order dated 22.07.2023 passed by the learned D.C.L.R., Ara, in Mutation Appeal No. 185 of 2022-23, the petitioner has already filed revision bearing Mutation Revision No. 103 of 2023-24 before the court of learned District Magistrate, Bhojpur, under Section 9 of the Bihar Land Tribunal Act, 2009, which is pending before him.



4. It is not in dispute that the petitioner has already filed a revision bearing Revision Appeal No. 103 of 2022-23 before the learned District Magistrate, Bhojpur, under Section 9 of the Bihar Land Tribunal Act, 2009, which is still pending for adjudication. It is a settled law that pursuance of multiple remedy for the same relief before different fora renders the present writ petition not maintainable under Article 226 of the Constitution of India.

5. In the aforesaid facts and circumstances, the petitioner is directed to pursue the revision filed under Section 9 of the Bihar Land Tribunal Act, 2009, bearing Mutation Revision No. 103 of 2023-24, which is pending before the court of learned District Magistrate, Bhojpur, in accordance with law.

6. The District Magistrate, Bhojpur is directed to dispose of Mutation Revision No. 103 of 2023-24, in accordance with law, after hearing the parties, preferably within a period of one year from the date of receipt/production of a copy of this order.

7. With the aforesaid observations and directions, this writ application stands disposed of.

(Prabhat Kumar Singh, J)

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