

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6350 of 2024

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Kumar Vaibhav Vikash son of Sri Madan Mohan Prasad, resident of Mohalla-South of Pancham Bhawan, Tara Nagar, Madhubani, P.S.-K. Hat, District-Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Collector, Purnea.
3. The Additional Collector, Purnea.
4. The Deputy Collector Land Reforms, Sadar, Purnea.
5. The Circle Officer, Purnea East, Purnea.
6. Bhagirath Prajapati, the Revenue Karamchari of Revenue Halka Nagar Nigam, A/1, Circle Office, Purnea East, Purnea, P.S.-K. Hat, District-Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand
For the Respondent/s : AC to GP-11

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2024 1. Heard learned counsel for the petitioner and learned AC to GP-11.

2. The learned counsel for the petitioner submits that the case of the petitioner is squarely covered by the order dated 11-11-2024 in C.W.J.C. No. 5978 of 2024 (*Kumar Vaibhav Vikash vs the State of Bihar and Ors.*). It is next submitted that the petitioner of the instant writ petition is same as that of C.W.J.C. No. 5978 of 2024. It is also submitted that case in the present writ application is identically similar but the only difference is with respect to the land in question. It is submitted



that the land in the instant writ application also belonged to the legal heirs of Madhumita Sen, but then the petitioner of C.W.J.C No. 5978 of 2024 had purchased the land in question by a registered sale deed from Hari Shankar Kumar and thereafter had filed the mutation case seeking mutation of his name over the land as detailed in C.W.J.C. No. 5978 of 2024, which was rejected by the Circle Officer, Purnea East, but then the order of the Circle Officer was set aside by the DCLR and thereafter the Divisional Commissioner had also directed the Circle Officer to mutate the name of the petitioner over the land in dispute in CWJC No. 5978 of 2024.

3. It is next submitted that in the instant writ application, petitioner has purchased the land from Dheeraj Kumar by registered sale deed No. 11094 dated 10-8-2018 and thereafter the Mutation Case No. 2033, R-27 of 2019-20 for mutating his name over the land pertaining to Mouza-Maharajganj, Thana No. 238, Khata No. 02, Plot No. 05, Area 4.03 decimal, which came to be rejected by an order dated 25-12-2019 passed by the Circle Officer (Annexure-1), against which the petitioner filed Mutation Appeal No. 76 of 2019-20 and the same was allowed by the DCLR by an order dated 16-9-2023 (Annexure-2) and thereafter petitioner moved before the



Divisional Commissioner, for getting the appellate order complied and the Divisional Commissioner by his order contained in Memo No. 467 dated 30-5-2024 directed the Circle Officer, Purnea East, to mutate the name of the petitioner over the land in dispute in the instant writ application also.

4. Learned counsel thus submits that in view of the facts recorded hereinabove, the case is covered by order dated 11-11-2024 in CWJC No. 5978 of 2024.

5. Learned counsel appearing on behalf of the State is not in a position to rebut the said submission of the learned counsel appearing on behalf of the petitioner.

6. Considering the submissions made by learned counsel for the parties, the Circle Officer, Purnea East, is directed to mutate the name of the petitioner over the land in question in view of the order passed by the D.C.L.R., Sadar Purnea, and the Divisional Commissioner, Purnea Division, in accordance with law within a period of four weeks from the date of receipt/production of a copy of this order.

(Satyavrat Verma, J)

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