

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11155 of 2023

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Reema Devi W/o Lalit Kishore Prasad, Resident of Village- Ward No. 1, P.S.-
Areraj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department
Government of Bihar.
2. The District Collector, Motihari, East Champaran.
3. The Additional Collector, Motihari, East Champaran.
4. The Deputy Collector, Land Reforms, Areraj, East Champaran.
5. The Circle Officer, Harsiddhi, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Saurav Singh, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned
State counsel.

2. This writ application has been filed to quash the
order dated 04.03.2016 passed by the Circle Officer, Obra in
Mutation Case No. 1311 of 2015-16.

3. Learned counsel for the State raises preliminary
objection to the effect that statutory alternative remedy is
available to the petitioner by way of filing appeal under **Section**
7 of the Bihar Land Mutation Act, 2011 which reads as:

*“7. Appeal. - (1) An Appeal against the
order of the Circle officer shall lie with the Land
Reforms Deputy Collector within thirty (30) days*



from the date of the order appealed against.

(2) The Land Reforms Deputy Collector may condone the delay in filing appeals provided he is satisfied that there are sufficient reasons for the delay.

(3) The Land Reforms Deputy Collector shall not pass any order modifying, altering or setting aside the order appealed against unless the concerned parties concerned have been given a reasonable opportunity of being heard.

(4) The time limit for the disposal of a mutation appeal shall be thirty (30) working days from the date of the filing of the mutation appeal.”

4. Learned counsel for the petitioner does not dispute the above proposition.

5. Taking into consideration the aforesaid facts of the case, this writ petition is disposed of with liberty to the petitioner to file an appeal before the Deputy Collector, Land Reforms, Areraj, East Champaran (Respondent No. 4) along with all the relevant documents in support of the claim, within a period of six weeks from today.

6. In the event, such appeal is filed within the stipulated time period before the Deputy Collector, Land Reforms, Areraj, East Champaran (Respondent No. 4) the same shall be disposed of in accordance with law after hearing all the parties, preferably, within a period of six months from the date



of receipt/filing of the appeal.

7. With the aforesaid observations, writ petition is disposed of.

(Prabhat Kumar Singh, J)

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