

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11001 of 2024

Abinash Kumar Son of Ramadhar Sharma Resident of A3, Professor Colony
Ward No 29 Near Aghori Bazar Chowk, Musahari Muzaffarpur, District-
Muzaffarpur, Bihar, 842002.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue, Bihar.
2. The Secretary Revenue Secretariat, Patna.
3. The Commissioner Tirhut Division, Muzaffarpur.
4. The District Magistrate, Vaishali, Hajipur.
5. The Additional Collector, Vaishali, Hajipur.
6. The Land Reform Deputy Collector, Mahua, (Vaishali) District-Hajipur.
7. Subhra Wife Rakesh Kumar At and P.O.-Bhathahi, P.S.-Jandaha, District-
Vaishali (Bihar), Pin-844505.
8. Amitabh Kumar S/o Late Ramadhar Sharma At-Jaiswal Campus,
Kalambagh, Chowk, RSs Gali, Ward No.29, P.S.-Kazi Mohammadpur,
District-Muzaffarpur, Pin-842002.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Advocate
For the Respondent/s	:	Mr. S. D. Yadav, AAG-9
		Mr. Braj Bhushan Mishra, AC to A.A.G.-9

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 25-07-2024

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. Following relief(s) have been prayed for in paragraph



No. 1 of the present writ application:

“(i) For issuance of appropriate writ/ writs in the nature of mandamus commanding and directing the respondent no.5 the learned Additional Collector, Vaishali to hear and conclude the Mutation Revision Case No. 110/2023-24. (Avinash Kumar Versus Shubhra & others) pending since 10.07.2023 for consideration against the order of cancellation in mutation Appeal Case No. 105/2022-23 dated 24.02.2023 passed by learned LRDC, Mahua (Vaishali) regarding the Jamabandi No. 3566 created in favour of the private Respondent no.8 (Amitabh Kumar) brother of the petitioner and the Jamabandi No. 3567 created in the name of the petitioner (Abinash Kumar).

(ii) For directing him (Respondent no.5) for passing an appropriate order as early as possible. Due to pendency the petitioner and his family facing unnecessary litigations which effect his business of petrol pump and the routine family life as well as the petitioner's facing financial crisis and afraid of something bad happening.

(iii) For granting any other relief or reliefs for which the petitioner is legally entitled in



the facts and circumstances of the case.”

3. Learned counsel for the petitioner, at the outset, submits that against the order dated 24.02.2023 passed by the Land Reforms Deputy Collector, Mahua, Vaishali in Mutation Appeal No. 105 of 2022-23, the petitioner has preferred a revision before the Additional Collector, Vaishali (Respondent No. 5) on 10.07.2023 vide Mutation Revision Case No. 110/2023-24 and the same is still pending before Respondent No. 5. Learned counsel for the petitioner submits that Respondent No. 5 may be directed to dispose of the revision application within a time frame.

4. Learned counsel for the State, in view of the limited prayer made on behalf of the petitioner regarding disposal of revision application pending before him, does not object to the same.

5. In view of the limited prayed made on behalf of the petitioner, the Additional Collector, Vaishali (Respondent No. 5) is directed to dispose of the Mutation Revision Case No. 110/2023-24 in accordance with law after giving proper opportunities of hearing to all the parties within a period of three months from the date of receipt/production of a copy of this order.



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	29.07.2024
Transmission Date	

