

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11677 of 2024

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Ajit Kumar Singh @ Ajit Singh @ Ajit Kumar S/o Hiralal Singh Resident of Village- Baliya Tole Chain Bhagat, P.O.- Baliya, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary Department of Revenue and Land Refrom, Patna, Bihar.
2. The Collector, Siwan.
3. The Additional Collector, Siwan.
4. Saphediya Devi W/o Sudama Singh, Resident of Village- Chamukha, P.S.- Pachrukhi, District- Siwan. At present D/o- Late Lagan Mahto @ Ram Lagan Mahto Resident of village- Naihar Ballia Tole Chain Bhagat, P.O.- Baliya, P.S and Block- Maharajganj, District- Siwan.
5. Madhav Singh S/o Late Dashai Singh, Mother- Late Rupa Devi, Maternal Father- Lagan Mahto @ Ram Lagan Mahto, Village- Jiyadi Tola, P.S.- Jamor Bazar, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amarendra Kumar, Advocate
For the Respondent/s	:	Mr. Manoj Kumar Ambastha, SC- 26
		Mr. Subodh Kumar, AC to SC- 26

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 08-08-2024

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

2. At the outset, learned counsel for the petitioner is permitted to make necessary correction in paragraph No. 1 of the writ application.

3. The present writ application has been filed for the following relief/s:-



“1. That this is an application for issuance of a writ in the nature of certiorari for quashing the order dt 07.02.2024 passed in Mutation revision Case no. 113/2021-22 (111/2021-22, 112/2021-22) whereby and where under, the Mutation order dt 31.03.2020 passed by C.O. Maharajganj in favour of petitioner, which is 19/20-21 A conformed in appeal No. 14/20-21 dt 12.06.2021 passed by D.C.L.R. Maharajganj was set aside on nonest ground and without considering the fact that alleged land is in possession of petitioner and rent also paid by him and Title suit filed by respondents No. 4 & 5 bearing T.S. no. 304/2021 is pending between parties.”

4. At the outset, learned counsel for the State submits that the petitioner is having an alternative remedy before the Bihar Land Tribunal under Section 9(2) of the Bihar Land Tribunal Act, 2009, by filing an application against the final order passed by the Appropriate Authorities.

5. Considering the fact that the petitioner is having an alternative remedy, the petitioner is directed to file application before the Bihar Land Tribunal as per the provisions of Section 9(2) of the Bihar Land Tribunal Act, 2009 within a period of four weeks along with application of condonation of delay in



filing the application and the Bihar Land Tribunal, after considering the fact that the petitioner was pursuing his remedy before this Court, will condone the delay and dispose of the same in accordance with law.

6. With the aforesaid observation/direction, the present writ application stands disposed of.

(Rudra Prakash Mishra, J)

Raj Kishore/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	14-08-2024
Transmission Date	N/A

