

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 12390 of 2024

=====

Harikant Singh S/o- Baban Singh, R/o Village- Hathini, Post- Nokha, District-
Rohtas, Bihar- 802215.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land Reforms and Revenue Department, Govt. of Bihar.
2. The District Magistrate, Rohtas.
3. The Add. Collector (Land), Sasaram, Rohtas.
4. The D.C.L.R., Sasaram, Rohtas.
5. The Circle Officer, Nokha, Rohtas.
6. Sonamati Devi W/o Devpujan Singh, D/o Late Shivpujan Mahto, R/o Village- Hathini, P.S. Nokha, District- Rohtas.
7. Surendra Prasad S/o Late Rajeshwar Prasad Singh R/o Village- Hathini, P.S. Nokha, District- Rohtas.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Advocate
For the State	:	Mr. Ravish Chandra, AC to SC-6
For Respondent Nos.6 & 7	:	Mr. Anil Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-08-2024 Heard Mr. Deepak Kumar, learned Advocate for the

petitioner and Mr. Ravish Chandra, learned Advocate for the

State.

2. Mr. Anil Kumar, learned Advocate appearing on

behalf of respondent Nos.6 & 7 submits before this Court that

he is in receipt of the *Vakalatnama* and the same shall be filed in



course of the day.

3. The petitioner is aggrieved by the order dated 02.07.2024 passed in Mutation Appeal Case No. 4/2024-25 and 5/2024-25 passed by the learned DCLR, Sasaram, Rohtas. The petitioner also sought a direction upon the respondent authorities not to take any action against the petitioner with respect to the land of the petitioner till the disposal of Title Suit No.591 of 2010 and Title Suit No.217 of 2022 pending in the court of Sub-Judge 1st, Sasaram at Rohtas.

4. Learned Advocate for the petitioner contended that pursuant to the order passed by the learned DCLR, the Jamabandi of the petitioner has also been cancelled, against which the petitioner has preferred Jamabandi Appeal. Despite the filing of Jamabandi Appeal on 16.03.2024, the same has not been registered and numbered till date, which smacks malafide and biasness. The copy of the memo of Jamabandi Appeal has been brought on record by way of Annexure-10 to the writ petition.

5. At this juncture, learned Advocate for the State as well as private respondent contended that against the impugned order dated 02.07.2024 the petitioner has statutory remedy of revision under Section 8 of the Bihar Land Mutation Act, 2011;



invoking the jurisdiction of this Court under Article 226 of the Constitution is wholly misconceived.

6. Considering the submissions advanced on behalf of learned Advocate for the respective parties, this Court deems it proper to direct the Collector, Sasaram at Rohtas to accept and register the Jamabandi Appeal filed on behalf of the petitioner and after giving proper opportunity to all the stakeholders, dispose off the same preferably within a period of three months from the date of receipt/production of a copy of this order.

7. It is needless to observe that against the order passed by the learned DCLR in aforementioned mutation appeals the petitioner has statutory remedy of revision and as such the petitioner is at liberty to avail the statutory remedy, if so advised, preferably within a period of four weeks. In case such a revision is filed before the Collector, the same shall also be considered and disposed off within the stipulated period in terms of the provisions as prescribed under the Bihar Land Mutation Act, 2011.

8. Suffice to say that the respondent while considering the Jamabandi cancellation as well as Mutation revision shall also consider the submission of the petitioner that with respect to the land in question, title suits are pending, apart from other



submissions.

9. The writ petition stands disposed off with the
aforesaid direction.

(Harish Kumar, J)

durgesh/-

U			
---	--	--	--

