

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11912 of 2024

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Shantanu Kumar Singh Son of Late Girish Nandan Prasad Singh, Resident of
Bhelan Bazar, P.S. Munger, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reform, Government of Bihar, Patna.
2. The District Magistrate, Munger.
3. The Additional District Magistrate (Revenue), Munger.
4. The Circle Officer, Sadar Block, Munger.
5. Jitendra Kumar, Son of Sitaram Sharma, Resident of Mohalla- Sadipur, P.O.- Munger, P.S.- Kasim Bazar, District- Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar Choudhary, Advocate

For the Respondent/s : Mr. S M Raees, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 12-08-2024 Heard the parties.

2. The grievance of the petitioner is only confined to the expeditious disposal of his objection petition dated 03.07.2024 filed in Mutation Case No. 582 of 2024.

3. Learned Advocate for the petitioner contended that the ancestral land of the petitioner situated over Jamabandi No. 114, Mauja-Mukhbira, Khesra No. 2028, having previous Jamabandi No. 114 (37) situated in Mauja-Sadipur, Kasim Bazar, Munger have been coming in the name of joint family of the petitioner since long and has not been partitioned as yet. Further Title Suit No. 49 of 2019 is pending in the Court of learned Sub Judge-3 with respect to the land under dispute.



Recently the petitioner has come to know that respondent no. 5 got a sale deed executed in his favour and on the basis thereof, he filed mutation case before the Circle Officer. The petitioner having come to know about the aforementioned facts filed an objection in the Mutation Case No. 582 of 2024.

4. Seeking direction on behalf of the petitioner that the mutation case must not be decided without taking note of his objection is wholly unfounded as Section 6 (2) of the Bihar Land Mutation Act, 2011 obligates the Circle Officer that on receipt of an objection, the Circle Officer shall give reasonable opportunity to the parties concerned to adduce evidence, if any, and of being heard and shall dispose of the objection and pass such order as he deems fit. Further Section 6 (4) clearly stipulates that cases in which objections have been received, no order shall be passed unless the parties have been given reasonable opportunity of being heard.

5. In view thereof, the writ petition stands disposed off. Undoubtedly the Circle Officer is under statutory obligation to dispose of the objection of the petitioner in terms of the provisions prescribed under the Bihar Land Mutation Act, 2011.

(Harish Kumar, J)

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