

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12799 of 2024

Manish Kumar, S/o Raj Kumar Gupta, resident of village- Bihta, P.S. Bihta, District- Patna at present residing at village- Bikram, P.S. Bikram, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Director, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The District Magistrate-cum-Collector, Patna.
4. The Additional District Magistrate (Revenue), Patna.
5. The Land Reforms Deputy Collector, Danapur, Patna.
6. The Sub Divisional Officer, Danapur, Patna.
7. The Circle Officer, Bihta Anchal, District- Patna.
8. The Circle Inspector, Bihta Anchal, Patna.
9. The Anchal Amin, Bihta Anchal (Concerning Mauza-Sikandarpu), P.S. Bihta, District- Patna.
10. The Rajaswa Karmchari (Halka Karmchari), Mauza Sikandarpur, P.S. Bihta, Patna.
11. Sadhana Singh, W/o Shailendradhari Singh, R/o Dharhara Kothi, P.S. Kadam Kuan, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shambhu Sharan Singh, Advocate
For the Respondent/s	:	Mr. Mujtabaul Haque, GP-12
	:	Mr. Deo Narayan Prasad, AC to GP-12

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 29-08-2024

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

2. The present writ application has been filed for the
following relief(s):

“1.i. For direction/order to the District Collector,



Patna to enquire into the mutation of land in question i.e. Sale deed No. 9119 executed dated 03.10.2023 in respect of land baring Mauza Sikandarpur, Thana No. 51, Jamabandi No. 25 (Part-1, Page-1767, parimarjan No. 20242802011925).

ii. For quashing the rejection order dated 19.04.2024 passed in Mutation case No. 9441R27/2023-2024/Bihta passed by Circle Officer, Bihta, Patna and cancellation of mutation proceeding done without mandatory notice to the purchaser since the Title Suit No. 48/2024 filed dated 24.01.2024 pending before the Sub Judge, 1st Danapur in respect of the same in plot in question.

iii, For cancellation of mutation of land in question on the back door method without consideration of the representations of petitioner.

iv. For the other relief/reliefs as your lordships may be deem fit and proper in facts and circumstances of the case in the ends of justice.”

3. At the outset, learned counsel for the State submits that the petitioner is having an alternative remedy by way of



filing appeal before the Deputy Collector Land Reforms, under Section 7 of the Bihar Land Mutation Act.

4. Considering the above fact that the petitioner is having an alternative remedy, the petitioner is directed to file appeal before the Deputy Collector Land Reforms (Respondent No. 5 herein) as per the provisions of Section 7 of the Bihar Land Mutation Act within a period of eight weeks along with application of condonation of delay and the Respondent No. 5, after considering the fact that the petitioner was perusing his remedy before this Court shall condone the delay and dispose of the appeal in accordance with law.

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

(Rudra Prakash Mishra, J)

Alok Verma/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	02.09.2024
Transmission Date	N/A

