

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12986 of 2024

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Rinku Devi @ Rinki Devi wife of Vijay Paswan, resident of Village Anda Bhaya Neura, P.S. Phulwari Sharif, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Department of Revenue and Land Reforms, Govt. of Bihar.
2. The Collector, Patna.
3. The Anchaladhikari, Phulwarishari, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumari Anjali, Advocate
For the Respondent/s : Mr. Mithilesh Kumar Singh, AC to SC-15

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 02-09-2024

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:-

“For an issuance of writ in the nature certiorari setting aside the order dated 05.04.2023 passed by the Anchaladhikari, Phulwarisharif, Patna (Respondent No. 03) whereby and whereunder the application dated 18.11.2022 Case No. 16118/2022-23 filed by the petitioner before him for mutation for her purchased land through registered sale deed dated



07.08.2008 for the land bearing Khata No. 207, Plot No. 389 Area 2.243 Decimal Situated at Mauza Anda P.S. Phulwarisharif District Patna is rejected mainly on the ground that Zamabandi is not created in the name of vendor of the petitioner.

(ii) For an issuance of a writ in the nature of Mandamus Directing the Respondent No.3 Anchaladhikari, Phulwarisharif Patna for creating Zamabandi in the name of the petitioner on the basis of registered sale deed for the land bearing Khata No. 207 Plot No. 389 Area 2. 243 Decimal situated at Mauza Anda P.S. Phulwarisharif District Patna under the Bihar Land Mutation Act, 2011 as the petitioner has acquired her interest over the land under Mutation by virtue of purchase.

(iii) For any other relief for which the petitioner is entitled in the facts and circumstances of the case.”

3. At the outset, learned counsel for the State submits that the petitioner is having an alternative remedy by way of filing appeal against the final order dated 05-04-2023 passed by the Anchaladhikari, Phulwarisharif, Patna (respondent No.3)



before the Deputy Collector Land Reforms of the concerned district, under Section 7 of the Bihar Land Mutation Act, 2011.

4. Considering the fact that the petitioner is having an alternative remedy, the petitioner is directed to file appeal along with the copy of this order before the concerned Deputy Collector Land Reforms as per the provisions of Section 7 of the Bihar Mutation Act, 2011 within a period of four weeks along with application of condonation of delay in filing the appeal and the concerned Deputy Collector Land Reforms, 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.

5. 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	02-09-2024
Transmission Date	N/A

