

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15560 of 2022

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Kunal Kishore Son of Late Lakhan Singh Resident of Village- Chhoti Pali,
Pali Khurd, Police Station- Narhat, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Land Revenue Department,
Government of Bihar, Patna.
2. The District Magistrate, Nawada.
3. The Circle Officer, Narhat, Police Station- Narhat, District- Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Advocate
For the Respondent/s : Mr. Raj Kishore Roy, G.P.-18

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-09-2024 Heard learned Counsel for the petitioner and learned
Counsel for the State.

2. The present petition has been filed for the following
reliefs:-

*(i) A mandamus commanding the
respondents to issue the certified copy of the
orders of Mutation Case No. 62/88-89
(Bagali Singh & others Versus The State of
Bihar and Mutation Case No. 448/91-92
(Kunal Kishore & another Vs. The State of
Bihar) to the petitioner.*

*(ii) Any other relief or reliefs for
which petitioner may be found entitled to in
the facts and circumstances of the present
case may be granted to him.*



3. Learned Counsel for the State has filed a counter affidavit stating therein paragraph nos.-7 and 8 of the counter affidavit which is reproduced hereinbelow:-

“7. That at outset, it is being most humbly stated and submitted that the old record of Narhat Circle, are severely damage and affected by termite infestation and flash floods of nearby Dhanrajey River as told by the office staffs and upon search made by the deponent in person, the records of Mutation Case No. 62/88-89 & 448/91-92, have not been found in the old record room of the Narhat Circle Like as reported on 12.02.2021 over the Chirkut filed by the petitioner by the then Circle Officer, Narhat as contained in Annexure-3 of the writ petition.

8. That, in regard to grievance in its spirit as raised by the petitioner in the instant writ petition, it is being most humbly stated and submitted that after perusal of the Register-II (Jamabandi Panji) of the concerned revenue village (Mauza), it is apparent that Jamabandi No. 349/2 has been created in favour of the petitioner after Partition Mutation Case No. 62/88-89 of 4.85 ½ Acre but further, vide Partition Mutation Case No. 448/91-92, a new Jamabandi of an area of 2.42 ½ Acre has



*also been created as Jamabandi No. 434/2 in
favour of the step mother of the petitioner.”*

4. In view of the aforesaid, the State-Respondent has admitted that after perusal of the Register-II, it is apparent that Jamabandi No. 349/2 has been created in favour of the petitioner after Partition Mutation Case No. 62/88-89 of 4.85 ½ acres but further vide Partition Mutation Case No. 448/91-92, a new Jamabandi of an area of 2.42 ½ acres has also been created as Jamabandi No. 434/2 in favour of the step-mother of the petitioner.

5. Learned Counsel for the petitioner submits that in view of the aforesaid, now, the grievance of the petitioner has been redressed in view of the stand taken by the State-Respondent in paragraph nos. 7 and 8 of the counter affidavit aforesaid, the writ petition stands disposed of.

(Rajesh Kumar Verma, J)

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