

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14272 of 2024

Radhe Shyam Singh S/o Late Ram Dayal Singh @ Late Ram Dayal Mahato,
R/o Village-Tenduni, P.S.-Jagdishpur, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Director, Directroate of Land Consolidation, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The District Collector, Bhojpur at Ara.
4. The District Land Consolidation Officer, Bhojpur at Ara.
5. The Deputy Collector Land Reforms, Bhojpur at Ara.
6. The Circle Officer, Jagdishpur, Bhojpur.
7. Rajanand Singh, S/o Late Sudama Singh, R/o Village-Tenduni, P.S.-Jagdishpur, District-Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mrs. Namrata Mishra, Advocate
For the Respondent/s : Mr. Government Advocate (2)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-09-2024 Heard Mrs. Namrata Mishra, learned Advocate for
the petitioner and learned Advocate for the State.

2. The petitioner by invoking the jurisdiction of this
Court seeking following directions:-

“1.(I) For a direction to the Respondents to immediately release the land of the petitioner situated in Mauza-Tenduni, Survey Khata No.191, Survey Khesra No.1719, measuring 08 Dec. and Survey Khesra No.1727, measuring 15 Dec. which have been wrongly included in Chak No.1251 prepared in the name of Rajanand Singh S/o. Late Sudama Singh (Respondent No.7).



(II) For a direction to the Respondent No.3 to exercise his power vested to him under Section 8(1) of the Bihar Land Mutation Act, 2011 and cancel the mutation of the land in question belonging to the petitioner, but mutated in the name of Respondent No.07, on the basis of Chak 1251 created by illegally including the land of the petitioner.

(III) For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this case.”

3. Adverting to the averments made in the writ petition learned Advocate for the petitioner contended that irrespective of the fact that the petitioner is a *khatiyani raiyat* and has been coming in peaceful possession over the land, in question; as also the fact that land possession certificate has been issued in the year 2019, the private respondent has mutated the land, in question, in his favour in Mutation Case No.562 of 2002-2003 in a collusive manner. Having found no way out, the petitioner approached before the respondent No.3 by filing a revision petition under Section 8(1) of the Bihar Land Mutation Act, 2011.

4. Learned Advocate for the State submits that since the matter is pending before Respondent No.3, the writ petitioner may pursue his statutory remedy.

5. In view of the submissions made on behalf of learned Advocate for the respective parties, the present writ



petition stands disposed off with a direction to the respondent No.3 to consider the representation of the petitioner filed by way of a revision petition under Section 8(1) of the Bihar Land Mutation Act, 2011 and dispose off the same by a reasoned and speaking order preferably within a period of two months from the date of receipt/production of a copy of this order.

6. With the aforesaid observation/direction, the present writ petition stands disposed off.

(Harish Kumar, J)

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