

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15313 of 2024

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Pritam Kumari alias Pritam Devi, W/o- Atul Kumar, D/o- Kamta Paswan, R/o Village-Thakurahat, P.S.- Karamchak, Dist.- Kaimur at Presently R/o-Village-Banrasiya, P.S.- Sasaram, Dist.- Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Secretary-Cum-Legal Remembrances, Law Department, Govt. of Bihar.
3. The Divisional Commissioner, Patna Division, Patna.
4. The District Magistrate-Cum-Collector, Rohtas (Sasaram).
5. The Additional Collector, Rohtas (Sasaram).
6. The D.C.L.R., Sasaram, Dist.-Rohtas.
7. The Circle Officer, Anchal-Sasaram, Dist.-Rohtas.
8. Dharmendra Kumar @ Ravindra Paswan, S/o- Lallu Paswan, R/o Village-Bahrasiya, Ward No.-8, Nagar Nigam, Sasaram, P.O.- Bahasiya, P.S.- Sasaram, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Onkar Nath, Advocate
For the Respondent/s : Mr. Satya Vrat, AC to GP- 10

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 07-10-2024

Heard Mr. Onkar Nath, learned Advocate for the petitioner and Mr. Satya Vrat, learned Advocate for the State.

2. The petitioner is aggrieved by the order dated 20.05.2024, passed by the learned Deputy Collector Land Reforms, Sasaram (hereinafter referred to as ‘the DCLR’) whereby the Mutation Appeal Case No. 90 of 2023-24 has been rejected without following the mandatory provisions of Bihar Mutation Laws (Act and Rules).



3. Drawing the attention of this Court to the order-sheet of Mutation Appeal Case No. 90 of 2023-24, learned Advocate for the petitioner vehemently contended that surprisingly out of twenty three orders, in the seven orders, even the learned DCLR, Sasaram has not put his signature or initial thereon. While passing the order, it has taken note of the fact that with respect to the land, in question, there is a pending Title Suit before the competent court, but despite the aforesaid fact, the impugned order came to be passed that no evidence with regard to the pending title suit has been placed on record; when in the order dated 15.03.2024, the learned DCLR himself taken note of the fact that Title Suit No. 464 of 2023 is pending before the Civil Court.

4. On the other hand, learned Advocate for the State submits that since the petitioner has a statutory remedy of revision before the learned Collector/Additional Collector, the petitioner ought to assail the impugned order in revision by stating all the facts.

5. In view of the submissions advanced and considering the fact that against the order impugned, there is a statutory remedy of revision available under Section 8 of the Bihar Land Mutation Act, 2011, this Court deems it fit and



proper to dispose of the present writ petition with a liberty to the petitioner to file appropriate revision petition before the concerned Collector/Additional Collector preferably within a period of four weeks from today.

6. In case, the petitioner prefers such revision, the concerned respondent shall consider all the submissions of the petitioner and dispose of the same in accordance with law after giving proper opportunity of hearing to all the stake holders within a period of four months from the date of filing of such revision petition.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.10.2024
Transmission Date	NA

