

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16785 of 2022

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Chandra Kanta Devi @ Umda Devi wife Arvind Sharma, D/o Late Surya Dev Singh Resident of village- Kinari, P.S. and Dist.- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Jehanabad.
3. The Deputy Collector Land Reforms, Jehanabad.
4. The Circle Officer, Jehanabad.
5. Smt. Shiv Kumari Devi W/O Jainandan Sharma Resident of village- Kinari Tola Nima, P.S. and Dist.- Jehanabad.
6. Smt. Manorma Devi W/O Sri Rajdhari Singh Resident of village- Kinari Tola Nima, P.S. and Dist.- Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC 25

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-08-2024 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

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

- (i) *For issuance of an appropriate writ/order/direction to quash the order dated 04.07.2022 in Mutation Appeal No. 05/2015-16 passed by D.C.L.R Jehanabad.*
- (ii) *For issuance of an appropriate writ/order/direction to confirm the order dated 10.01.2015 in Mutation Case No. 7277/ 2014-15 by which the Mutation of the petitioner is allowed by the Circle Officer, Jehanabad.*

3. Learned counsel for the petitioner submits that the



petitioner is the daughter of Late Suryadev Singh. He further submits that Harinandan Singh and Yadunandan Singh died issue less and all the property of Harinandan Singh and Yadunandan Singh goes in favour of Late Suryadev Singh who is father of the petitioner. After the death of Harinandan Singh and Yadunandan Singh, the father of the petitioner has applied for Mutation in his favour and the Circle Officer has mutated the land in favour of the father of the petitioner vide Mutation Case No. 7277 dated 10.01.2015/2014-15. Thereafter, the rent receipt is granted in favour of the father of the petitioner and thereafter, the Respondent Nos. 5 and 6 have filed a mutation appeal before the DCLR, Jehanabad bearing Mutation Appeal No. 05/2015-16 on the ground that Late Harinandan Singh has donated his property to the Respondent Nos. 5 and 6 through a deed of will registered on 20.07.1996. The petitioner has challenged the order dated 04.07.2022 passed in Mutation Appeal No. 05/2015-16.

4. Learned counsel for the State has taken a primary objection that the impugned order is revisionable before the Additional Collector and the petitioner may approach before the Additional Collector.

5. In view of the aforesaid, the writ petition is



disposed of with liberty to the petitioner to file a revision application before the Additional Collector, Jehanabad challenging the order dated 04.07.2022 passed in Mutation Appeal No. 05/2015-16 and if the petitioner files the revision application as prescribed under the Act, then the Additional Collector is directed to disposed of the revision application of the petitioner within a period of 6 months from the date of filing of the said application, after hearing all the concerned parties.

6. With the aforesaid liberty, the writ petition stands disposed of.

(Rajesh Kumar Verma, J)

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