

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14567 of 2023

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Sunaina Devi Wife of Late Vashistha Singh, Resident of village- Karigaon,
P.O.- Bahadurpur, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The District Officer- Cum- Collector, Nawada.
3. The Additional Collector, Nawada.
4. The Deputy Collector, Land Reforms, Rajauli, Nawada.
5. The Circle Officer, Rajauli, Nawada.
6. The Sub- Registrar, Sub Registration Office, Rajaul, Nawada.
7. The S.H.O. of Rajauli Police Station, Nawada.
8. Manju Devi, Wife of Kailash Ravidas, Resident of village- Horila, P.S.- Rajauli, District- Nawada.
9. Savitri Devi, Wife of Late Ramji Singh, Resident of village- Karigaon, P.S.- Rajauli, District- Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-03-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

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

*(i) for issuance of writ in the
nature of Certiorari setting aside the order*



dated 24-05-2023 passed by Deputy Collector Land Reforms, Rajauli Nawada (Respondent No. 4) in Mutation Appeal NO. 218/2022-23 (Sunaina Devi vs Manju Devi & Ors., as contained in annexure-7) whereby and whereunder the said respondent has disposed of the appeal without taking any decision saying that during the pendency of Revision Case No. 6/2018-19 before Additional collector, Nawada related to same land in question, passing an order is not legal in accordance with law which is cryptic and non application of judicial mind and with intention to unnecessarily delay the matter without any rhyme and reason;

(ii) further for issuance of writ in the nature of mandamus directing and commanding the respondents No.4 to pass a fresh order in accordance with law because the reason assigned the order under challenge is not sustainable in the eye of law so that the revision has been filed against the order passed by same respondent in Mutation Appeal No.75/2017 filed by respondent No.9 (Savitri Devi Vs Circle Officer, Rajauli), the same was dismissed vide order dated 18-01- 2018 before above or filing of said Revision Case No. 6/2018-19 the respondent No.9 has sold the land in question to respondent No.8 and Mutation



Case No. 147/2021 was allowed against which the Sunaina Devi has file Mutation Appeal No. 218/2022-23 which was disposed of without taken any decision whereas every thing is on record of said respondent hence also no order has been passed which is under challenge here in.

3. This Court has gone through the order of the DCLR Rajauli, Nawada dated 24.05.2023. He has disposed of the Mutation Appeal No. 218/2022-23 only on the ground that the matter relating to the same land, the Revision Petition No. 06/2018-19 between Sunaina Devi (the petitioner herein) Vs. Savitri Devi is pending and as such, it would not be appropriate for him to proceed further. It is unfortunate that instead of appearing and contesting the matter before the Additional Collector, Nawada, the petitioner rushed to this Court challenging the order of the DCLR.

4. He is well advised to appear and contest the matter before the Additional Collector, Nawada.

5. Learned counsel for the petitioner submits that as would reflect, the case is pending before the Additional Collector, Nawada since 2018-19. It is high time that the Additional Collector takes the matter to its logical conclusion preferably within a period of six months from today after



hearing all the parties.

6. The present writ petition is disposed of.

(Rajiv Roy, J)

Suraj/Jagdish/-

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