

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15267 of 2024

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Shambhu Kumar @ Shambhu Prasad S/o Late Prabhu Narayan Gupta Birla
Mandir, Road Opp. of Khetan Super Market Kurta House Arya Kumar Road,
Patna-4 permanent Address at- Dayachak, Barah, Ward No.12, P.O. and P.S.-
Barah, Distt- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary Secretariat Patna.
2. The District Magistrate, Jamui.
3. The Circle Officer, Lakshmipur (Jmmui).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kamod Kumar Vidyarthi, Adv.
For the State : Mr.Kumar Alok, Standing Counsel (7)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-10-2024 Learned counsel for the petitioner is permitted to

make necessary correction in relief portion of the writ petition

during course of the day.

2. In the instant petition, petitioner has prayed for the

following reliefs:-

*(i) For issuance of appropriate writ
directing and commanding the respondents to mutate
in the name of the petitioner bearing Khata No. 205,
Khesra No. 3489, Area 9.98 Dismil situated at Mauza
Kakanchor, P.S.+Anchal-Lakshimpur, District-Jamui
was purchased in year 1960 in the name of Lakshmi
Narayan Prasad the own uncle of the petitioner
thereafter said land partitioned dated 30.1.93 and
came in the name of father of the petitioner.*

*(ii) for issuance of appropriate
writ directing and commanding the respondents
restrain to the respondents not disturb possession of*



the petitioner.

(iii) To grant any other relief/reliefs to which the petitioner is found entitled to the facts and circumstances of the case.

3. Briefly stated facts of the case is that father of the petitioner was holder of piece of said land and his elder brother Laxminarayan Prasad purchased the land in the year 1960 bearing sale deed 6886, Khata No. 205, Khesra No. 3489, Area 9.98 decimal and said land was partitioned on 31.01.1993 and land came in possession of father of the petitioner. The said plot is recorded in Jamabadni Register bearing Jamabandi No. 1133 in the name of petitioner and Lagan (rent) was paid on 21.05.2014 for the aforesaid land, which has been annexed as Annexure-P/1. The said plot no. 205, Mauza Kakanchor was online mutated on 22.02.2021 in the name of one Vijay Kumar, Son of Suresh Prasad Sah but the petitioner has not mutated the said land.

4. Counsel of the petitioner submits that Annexure-1 to the writ petition denotes that Khata No. 205, Khesra No. 3489 Area 9.98 decimal has been recorded in the name of petitioner. He further submits that petitioner has deposited Lagan for the year 2022-23 on 13.04.2022 in respect of the said land but Jamabandi is mentioned 1133, plot no. 0, Khesra No. 0 which shows the negligence of the respondents. He further submits that



grievance of the petitioner is that only Jamabandi number has been shown as 1133 and other details has not been shown in online recording, as mentioned in Annexure-4.

5. Learned counsel for the State submits that petitioner has filed application for mutation of plot no. 205 but said application has been rejected by the Circle Officer, Lakshmipur against which appropriate remedy is appeal but petitioner without availing the remedy of appeal approached this Court. In this way, the present petition is not maintainable.

6. From perusal of the material available on record, it is clear that petitioner has no grievance regarding any order passed by the competent authority rather he has only grievance that only Jamabandi number has been shown as 1133 and other details has not been shown in online recording, as mentioned in Annexure-4 for which he has not challenged the same before the concerned authority.

7. Considering the facts and circumstances of the case, the present writ petition is not maintainable. Accordingly, writ petition stands disposed of with liberty to petitioner to raise his grievance before the appropriate forum within a period of four weeks from the date of receipt of this order. If petitioner raises his grievance before the concerned authority, the



concerned authority is directed to hear the grievance of the petitioner and dispose of the same within a period of eight weeks.

(Alok Kumar Pandey, J)

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