

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16051 of 2023

1. Sunil Kumar Thakur son of Late Binda Prasad Thakur, Resident of Mohalla-Damuchak, Police Station-Kazi Mohammadpur, District Muzaffarpur.
2. Akhileshwar Mishra, son of Late Raj Narayan Mishra, resident of village-Jagdishpur, Baghnagari, Police Station-Sakra, District Muzaffarpur.
3. Nitu Kumari, Wife of Shri Neeraj Kumar, Resident of Village-Punash, Police Station-Samastipur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Through The Additional Chief Secretary, revenue and Land Reforms Dept, Bihar, Patna
2. The Director, Department of Revenue and Land Reforms, Bihar, Patna.
3. The District Collector, Muzaffarpur.
4. The Additional Collector, Muzaffarpur.
5. The Deputy Collector Land Reforms (D.C.L.R.) East Muzaffarpur.
6. The Circle Officer, Mushahari, District-Muzaffarpur.
7. Mr. Gyanendra Nath Srivastava, son of Late Upendra Nath Srivastava, Resident of Village-Susta, Police Station-Sadar, District-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Respondent/s : Mr. Sajid Salim Khan (SC-25)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-04-2024 Heard the parties.

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

*for issuance of a Writ in nature of
Certiorari to quash the order dated 10/02/2022
passed in Mutation Revision Case No. 50/18-19,
Jamabandi Revision Case No. 51/1018- 19 and
Jamabandi Revision Case No. 52/2018-19 by the
Additional Collector, Muzaffarpur whereby and*



where under the learned Additional Collector, Muzaffarpur has allowed the above said Mutation/Jamabandi Revision casers filed by the Respondent No. 7 and set aside the order passed by the Circle Officer, Mushahari in Mutation Case No. 16072/2015-16, 7009/2015-16 and 7010/2015-16 and also set aside the order passed by the D.C.L.R East Muzaffarpur in Mutation Appeal No. 30/2017-18, 40/2017-18 and 41/2017-18 on Concurrent the absurd and non-est ground ignoring the concerning findings of the Circle Officer as well as D.C.L.R East Muzaffarpur.

And/or issue consequential Writ in the nature of mandamus commanding and directing the Respondents to not to interfere with the rights, title and possession of the land in question and to do all the needful in the light of the order passed by the Circle Officer, Mushahari, Muzaffarpur for which the petitioners are legally entitled to.

And/or issue any other appropriate Writ/Writs, direction/directions, order/orders for which the petitioners may be found just and proper in the facts and circumstances stated hereunder.

3. At the outset, learned State counsel submits that the order passed in the revision should have been challenged before the Bihar Land Tribunal, Patna. Instead the petitioner invoked writ jurisdiction.



4. Learned counsel for the petitioner submits that he will be filing an appropriate petition before the BLT within a period of four weeks.

5. If such petition is filed within the aforesaid period, the Tribunal shall take into account that the delay has occurred due to his filing writ petition before the Patna High Court.

6. The writ petition stands disposed of.

(Rajiv Roy, J)

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