

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17885 of 2024

Manoj Kumar Mandal son of Late Ram Narayan Mandal resident of Village-
Molviganj, Kadirabad, Post- Lalbagh, Police Station-LNMU, District-
Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. The Divisional Commissioner, Darbhanga Division, Darbhanga
4. The District Magistrate cum-Collector, Darbhanga, District - Darbhanga.
5. The Land Reforms Deputy Collector, Sadar Darbhanga, District-Darbhanga.
6. The Circle Officer, Sadar Darbhanga, District - Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Pandey, Advocate
		Mr. Abhay Kumar, Advocate
For the Respondent/s	:	Ms. Kumari Amrita, GP 3

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 26-11-2024 The petitioner has filed this writ petition for the
following reliefs:

(i) For issuance of an appropriate writ in the nature of Certiorari for quashing the order dated 06.06.2020 passed by the respondent no.6 in Mutation Case No.4754 of 2019-20 whereby and whereunder the respondent no.6 was pleased to reject the application filed by the petitioner for mutation of land bearing Khesra No.10987 measuring an area 13.08 decimals situated in Thana No.465 Mauza-Hasanchak under Sadar Darbhanga Anchal of Darbhanga District inter-alia on the ground that the present status of the land is Pokhar (Pond), the land is not in possession of the petitioner and Title Suit No.165 of 2017 is pending in the court of learned Sub-Judge 1st, Darbhanga notwithstanding the fact that way back



in the year 1957, the State Government settled the issue holding that the settlement should not be annulled as also a bench of this Hon'ble Court vide judgment and order dated 28.01.2014 passed in C.W.J.C. No.13958 of 2023 was pleased to set aside the order dated 17.06.2013 passed in Revenue Case No.151 of 2012 by the respondent no.4 for cancellation of Jamabandi and it was affirmed up to the Hon'ble Supreme Court.

(ii) For issuance of an appropriate writ in the nature of Certiorari for quashing the order dated 06.12.2021 passed by the respondent no.5 in Mutation Appeal No.17 of 2020-21 whereby and whereunder the respondent no.5 was pleased to dismiss the appeal filed by the petitioner and affirm the order passed by the respondent no.6 inter-alia on the ground that Title Suit No.165 of 2017 is pending before the learned Sub-Judge 1st, Darbhanga.

(iii) For issuance of an appropriate writ in the nature of Mandamus commanding and directing the respondent authorities particularly the respondent nos.5 and 6 to mutate the land in favour of the petitioner and restore the same to the petitioner free from all encumbrances on the ground that the Title Suit No.165 of 2017 filed by the State of Bihar through the Collector, Darbhanga was already dismissed by the learned Additional Chief Judicial Magistrate, 7th, Darbhanga vide order dated 13.09.2022.

(iv) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.

2. After some arguments, learned counsel for the petitioner submits that this writ petition may be disposed of with liberty to the petitioner to file a detailed representation raising



all grievances before the competent authority.

3. Learned counsel for the State has no objection to this prayer of the petitioner.

4. In view of the submission of learned counsel for the petitioner, this writ petition is disposed of with liberty to the petitioner, as prayed for.

5. On filing of the said representation within four weeks from today, the concerned authority is directed to dispose of the said representation in accordance with law expeditiously preferably within four months from the date of filing of the said representation.

(Sunil Dutta Mishra, J)

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