

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17557 of 2024

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Hirendra Kumar Sinha S/o Murlidhar Lal, R/o Mohalla - Company Sarai, P.S.
- Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Patna.
2. The Director, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Collector, Rohtas.
4. The District Land Acquisition Officer, Sasaram, District- Rohtas.
5. The Circle Officer, Sasaram, District - Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Siddharth Harsh
For the Respondent/s : Mr.Standing Counsel (9)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 26-11-2024

In the instant petition, petitioner has prayed for
the following relief(s):-

(a) For issuance of an appropriate writ/order/direction commanding the Respondents Circle Officer Sasaram to forthwith mutate the land in question in favour of the petitioner and to start issuance of Rent Receipt with respect to the same in name of the petitioner.

(b) And/or for any other relief or reliefs for which the petitioners would be found entitled to on the facts and in the



circumstances of the case.

2. Learned counsel for the petitioner submits that the land appertaining to Plot No. 621 area 1.34 acre, Plot No. 622 area 0.36 acre, Plot No. 625 area 0.26 acre, Plot No. 705 area 1.16 acre, Plot No. 725 area 0.80 acre, all under Khata no. 214, total area 3.92 acre under Mauza - Agrer, Thana No. 165, P.S. Agrer, District – Rohtas belonged to one Rajapati Upadhyaya, S/o- Raghunandan Upadhyaya from whom the mother of the petitioner purchased the said land through registered sale deed dated 13.05.1967. He further submits that after the death of the petitioner's mother, petitioner is the owner of the land in question and he has applied for mutation of the said land in question vide Mutation Case No. 989 of 2017-18 before the Circle Officer, Rohtas, Sasaram but the concerned authority has turned down the representation. He further submits that petitioner preferred an appeal before the DCLR, Sasaram bearing Mutation Appeal No. 82 of 2017-18 and the same was allowed vide order dated 05.03.2018 directing the Circle Officer, Sasaram to mutate the 3.92 acre of the land in question in favour of the petitioner. He further submits that despite being the order passed on 05.03.2018, the Circle Officer, Rohtas, Sasaram



has not complied the order as yet. He further submits that petitioner has filed representation before the Collector, Rohtas, for execution of the order but no action has been taken. He further submits that petitioner has also approached the concerned ADM, DCLR and CO but of no avail. He further submits that copy of postal receipt has been attached to the writ petition.

3. Learned counsel for the State submits that order of the superior has to be complied at any cost. He further submits that petitioner has not filed any copy of the official receipt which indicates that the petitioner has approached any of the concerned authority. He, however, submits that if petitioner files fresh representation for execution of order passed by the concerned authority, the concerned authority will consider the representation of the petitioner.

4. In the light of the facts and circumstances of the case, if order dated 05.03.2018 passed by DCLR, Sasaram has attained finality, then, there is no question for the Circle Officer, Sasaram, Rohtas for not complying the order of DCLR, Sasaram. The instant writ petition, accordingly, stands disposed of with direction to the Circle Officer, Sasaram,



Rohtas to pass appropriate order for compliance of order dated 05.03.2018 passed by DCLR, Sasaram within eight weeks from the date of filing of his representation, if petitioner represents his grievance within four weeks from the date of receipt of this order.

(Alok Kumar Pandey, J)

alok/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	27.11.2024.
Transmission Date	N/A

