

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13151 of 2018

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1. Harishchandra Yadav Son of Late Chote Lal Yadav,
 2. Rinku Devi, Wife of Harishchandra Yadav,
Both are resident of Village- Kabir Chak, P.S.- Sadar Darbhanga, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Collector Darbhanga, District- Darbhanga.
3. The Deputy Collector Land Reforms, Sadar, Darbhanga.
4. The Circle Officer, Bahadurpur, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha, Adv.
For the Respondent/s : Mr. Sajid Salim Khan- SC25

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 27-11-2024

None appears for the petitioners.

2. In the instant petition, the petitioners have
prayed for following relief(s):-

“For issuance of an appropriate writ (s) / rule (s) / direction (s) in the nature of certiorari commanding the concerned respondents for passing the Mutation Order with regards to land of petitioner no. 1, admeasuring 741 Decimal and 115 Decimal, Situated under Mauza Pingi, Khata No. 281 and 17, Khesra Nos. 411 (N), 415(N), 400, 402, 403, 405, 407, 408, 410, 416, 417, 399, 398 and 424, Thana No. 595 as well as land of petitioner no. 2, admeasuring 661 Decimal situated under Mauza Pingi, Khata No. 281



and 17, Khesra No. 415 (N), 417, 399, 398 and 400, per as Order dated 30.09.2016, passed in Mutation Appeal Case Nos. 25/2016-17, 26/2016-17 and 27/2016-17.

ii. For issuance of appropriate direction to the concerned authority for passing the Mutation Order in favour of both the petitioner on the basis of Order dated 30.09.2016, passed by The Deputy Collector, Land Reforms Sadar Darbhanga in Mutation Appeal Case Nos. 25/2016-17, 26/2016-2017, 27/2016-17.

AND/OR

iii. For grant of other relief (s) to which the petitioner may found entitled to, on the facts and circumstances of the case.”

3. From perusal of the relief clause, it is crystal clear that mutation appeal has been decided by the DCLR in favour of the petitioner and petitioner is aggrieved by non-execution of the order passed by the DCLR. Petitioner has approached this court for execution of the aforesaid order. The petitioner has not mentioned that whether he has approached to the concerned authority with regard to the implementation of the order passed by the DCLR. The order of DCLR clearly indicates that there is direction to the C.O., Bahadurpur for implementation of the order but the C.O., Bahadurpur has not executed the order passed by the DCLR. For execution of the order passed by the DCLR, the present writ petition has been pending before this Court for the last six years.



4. Learned counsel for the State submits that petitioner has not mentioned whether he has approached the concerned authority for implementation of the order passed by the DCLR. However, in case he files a fresh representation, the same shall be looked into by the concerned authority.

5. Considering all the aspects of the matter, the present writ petition stands disposed of with liberty to the petitioner to raise his grievance before the concerned authority, if order of DCLR has attained finality. The concerned authority is hereby directed to take appropriate step for implementation of the order passed by the DCLR expeditiously within a reasonable period of time.

(Alok Kumar Pandey, J)

amitkumar/-

AFR/NAFR	AFR
CAV DATE	N/A
Uploading Date	28.11.2024
Transmission Date	N/A

