

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.539 of 2024

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Vinay Kumar Mishra Son of Late Krishna Mishra Resident of Village-Semra,
Police, Station-Ram Nagar, District-West Champaran, PIN-845163.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue, Government of Bihar, Patna.
2. The District Magistrate, West Champaran.
3. The Circle Officer, Ram Nagar, District-West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Choubey, Advocate
For the Respondent/s	:	Mr. Sunil Kumar Mandal, SC- 3

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-04-2024 Heard Mr. Dhananjay Choubey, learned counsel for
the petitioner and Mr. Sunil Kumar Mandal, SC-3.

2. The petitioner has prayed for the following reliefs:

(i) for issuance of an appropriate writ, order or directions to the Respondents for setting aside the order dated 16.06.2022 passed by the Circle Officer, Ram Nagar (Respondent No. 3) in Mutation Case No. 2415/R27/2021-22 by which learned Respondent No. 3 mutated the name of Raushan Kumar Pathak in place of the



*petitioner for the land bearing
Khata No. 60 Plot No.423, Area 06
Katha 08 Dhur of Mauza- Semra
Anchal- Ram Nagar, District- West
Champaran and further to issue
direction to produce the Anchal
record relating to Mutation Case
No. 474 of 1976-77 by which the
land has been mutated in favour of
the ancestor of this petitioner and
further to pass any other
order/orders to which the petitioner
found entitled.*

3. A counter affidavit on behalf of the respondent nos.
2 and 3 has come and paras-14 and 15 read as follows:

*"14. That the writ petitioner has
already challenged the order of the
Circle Officer, Ramnagar, passed in
Mutation Case No. 2415/R27/2021-
22, by filing Mutation Appeal No.
59 of 2022-23 before Learned Land
Reforms Deputy Collector, Bagha,*



West Champaran and at present the matter is sub- judice before the competent authority and during the pendency of the Mutation Appeal No. 59 of 2022-23 before Learned Land Reforms Deputy Collector, Bagha, West Champaran nothing can be done into the matter.

15. That it is most humbly submitted that Section 7 of the Bihar Mutation Act, 2011 talks about the filing of an appeal against the order of the Circle Officer and the writ petitioner, in compliance of the said provision, has already filed a Mutation Appeal and the same is pending.

4. In that view of the matter when the Mutation Appeal No. 59 of 2022-23 is pending before the Land Reforms Deputy Collector, Bagaha, West Champaran, it is unfortunate that the writ petition has been filed and the said facts have not been incorporated in any of the paragraphs of the writ petition.



5. Though, this case is fit to be dismissed with cost, learned counsel for the petitioner submits that he will be pursuing his remedy in the appeal preferred by before the learned LRDC, Bagaha, West Champaran.

6. The writ petition stands disposed of.

7. If the petitioner cooperate in the matter, the learned LRDC shall take the same to its logical conclusion within a reasonable time.

(Rajiv Roy, J)

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