

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.906 of 2024

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Mamta Singh W/o Bal Kishor Singh, R/o Harinagar, P.S. Akbarnagar,
District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, New Secretariat, Bailey Road, Patna.
2. The Principal Secretary Department of Revenue and Land Reforms, Government of Bihar, New Secretariat, Bailey Road, Patna.
3. The District Collector, Bhagalpur, Dist. Bhagalpur.
4. The Additional District Collector, Bhagalpur, Dist. Bhagalpur.
5. The D.C.L.R. Bhagalpur, Dist. Bhagalpur.
6. The Circle Officer, Sultanganj, Bhagalpur, Dist. Bhagalpur.
7. Archana Singh, W/o Shailendra Kumar Singh, Permanent R/o Harinagar, P.S. Akbarnagar, District-Bhagalpur.
8. Ramdeo Singh, S/o Late Bishan Singh @ Bisho Singh, Permanent R/o Harinagar, P.S. Akbarnagar, District-Bhagalpur.
9. Chandra Shekhar Singh @ Raju Singh, S/o Late Ramchandra Singh, Permanent R/o Harinagar, P.S. Akbarnagar, District-Bhagalpur.
10. Ranjan Singh, S/o Late Ramchandra Singh, presently R/o Rampur Colony, Quarter No. 266/B, P.O. and P.S. Jamalpur, Dist. Munger, Permanent R/o Harinagar, P.S. Akbarnagar, District-Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dinkar Kumar, Advocate Mr. Santosh Kumar, Advocate
For the Respondent/s	:	Mr. Rajeev Shekhar, AC to GA-13

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and the

State.

2. The present writ petition has been preferred for the

following reliefs:

(i) for Setting aside of the Judgment



dated 30/01/2023 passed in B.L.T. Case No. 274 of 2021 passed by Ravindra Patwari, Ld. Member (Judicial), The Bihar Land Tribunal, Patna (Annexure- 5) by which the Order dated 10/02/2021 passed in Mutation Revision Case No. 57 of 2020-21 passed by Ld. Addl. Collector, Bhagalpur (Annexure-4), has been affirmed;

(ii) for issuing direction to stay on operation of the above said final order dated 30/01/2023 passed in B.L.T. Case No. 274 of 2021 passed on force of the final Disposal Order dated 23/08/2022 passed in T.S. No. 105/18 passed by court of Ld. Sub-Judge 1st, Bhagalpur (Annexure-3);

(iii) for considering the Order dated 23/08/2022 passed in T.S. No. 105/18 passed by court of Ld. Sub-Judge 1st, Bhagalpur by which the acclaimed pending title suit has been disposed of for want of prosecution at the end of the Plaintiffs against which the final order dated 30/01/2023 erroneously passed in the light of Section 6 (12) of the Bihar Land Mutation Act, 2011 and with additional direction to the Circle Officer concerned that original jamabandi of the subject land herein shall be restored and it shall continue to run in the name of that person till the final decision to be taken in the pending Title Suit between the parties.

3. The petitioner has challenged the order dated



30.01.2023 passed in BLT Case No. 274 of 2021 by the Bihar Land Tribunal, Patna in which having taking note of the fact that Title Suit No. 105 of 2018 is pending before the Competent Civil Court between the parties but BLT chose not to interfere in the matter.

4. Learned counsel for the petitioner with the help of paragraph no. 14 submits that she was unaware of the disposal of the Title Suit No. 105 of 2018 which was disposed of on 23.08.2022 and in that background, the same could not be brought to the notice of the Tribunal.

5. Paragraph no. 14 is extracted herein below:

“14. That it is most humbly submitted that the Petitioner has no knowledge about the above disposal order dated 23/08/2022 passed in T.S. No. 105/18 and no other' contesting parties has/have bothered to brought on record the above said disposal order in course of the pendency of the BLT Case No. 274 of 2021 before the Ld. Authority. And in absence of knowledge of such crucial factum of disposal of the partition case, the Ld. Bihar Land Tribunal could not have passed the impugned order dated 30/01/2023 passed in BLT Case No. 274 of 2021, which have at present no legal sanctity as the Partition suit has disposed of



without merit.”

6. In view of the fact and the averment made in the title suit now stands disposed of, the petitioner has all the liberty to move before the appropriate Revenue Officials for the redressal of her grievance along with the order passed in Title Suit No. 105 of 2018.

7. Learned counsel for the petitioner submits that he will be approaching the concerned Revenue Official within a period of four weeks from today.

8. In that case, the same shall be taken up and dispose of expeditiously.

9. The writ petition stands disposed of.

(Rajiv Roy, J)

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