

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14049 of 2021

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Anil Kumar Son of Late Rameshwar Singh, Resident of Village and Post Office - Kajur, Police Station - Atari, District - Gaya, at present Bihar Bidhan Parishad, P.S. - Sachivalay, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue, Government of Bihar, Patna.
2. The Collector, Gaya.
3. The Circle Officer, Mohra Block, Gaya.
4. Raj Kumar, Son of Rameshwar Singh, Resident of Village and Post Office - Kajur, Police Station - Atari, District - Gaya.
5. Sunil Kumar, Son of Rameshwar Singh, Resident of Village and Post Office - Kajur, Police Station - Atari, District - Gaya.
6. Niraj Kumar, Son of Late Satish Singh, Resident of Village and Post Office - Kajur, Police Station - Atari, District - Gaya.
7. Dhiraj Kumar, Son of Late Satish Singh, Resident of Village and Post Office - Kajur, Police Station - Atari, District - Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.
For the Respondent/s : Mr. Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 18-11-2025 The instant writ application has been filed under Article 226 of the Constitution of India by the petitioner seeking the following relief(s):

" (i) For issuance of appropriate order/orders, direction/directions commanding the Respondent No.3 to separate the demand of the petitioner his brother and heirs of any of his brother and issue separate rent receipts to all taking in view that the petitioner has already made application for the same and is continuously persuading but till date his genuine grievances have not been considered.



(ii) For issuance of appropriate writ/writs, order/orders, direction/ directions commanding the respondents concerned to issue separate rent receipts to the petitioner and Respondent No.4 to 7 as per their respective shares mutually partitioned during the life time of the father of the petitioner.

(iii) For issuance of appropriate order/orders, direction/directions commanding the respondents concerned to issue separate rent receipts to the petitioner, his brother and heirs of one of his brother taking into account that since long all of them are living separately and having possession of their respective shares mutually partitioned during life time of the father of the petitioner.

(iv) For any other relief/reliefs for which the petitioner is entitled under law..

2. Mr. Sanjay Kumar, learned counsel appearing for the petitioner and Mr. Md. Khurshid Alam, learned counsel appearing for the State-respondents are present and they are heard.

3. The main issue raised by the petitioner in this writ petition is that despite a specific direction dated 22.10.2016 in CWJC No. 20775 of 2014 given by this court, the Mutation Case No. 663 R27/2019-2020, though, the same was registered after several years of this court's order dated 22.10.2016 passed in CWJC No. 20775 of 2014 is not being decided by the Circle Officer since 2019-2020 and consequently, the petitioner and other shareholders are unable to get their separate rent receipts



in respect of the land which remained the subject matter of the family partition.

4. It is very surprising that the Circle Officer, Mohra Block, Gaya is sitting tight over Mutation Case No. 663 R27/2019-2020 and the same was registered about three years after the order dated 22.10.2016 passed in CWJC No. 20775 of 2014 and even then the Circle Officer has not taken any step to decide the matter which shows gross negligence on his part, so, considering this aspect, Collector, Gaya, is directed to look into the matter and ensure the completion of the Mutation Case No. 663 R27/2019-2020 within four weeks from the date of receipt or production of this order's copy, failing which the petitioner will have a liberty to file M.J.C. before this court.

5. Accordingly, the instant writ petition stands disposed of.

(Shailendra Singh, J)

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