

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9483 of 2025

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Shravan Kumar Verma Son of Om Prakash Verma Resident of Village-
Gidhaur, Police Station- Gidhaur, District - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department Government of Bihar, Patna.
2. The District Magistrate, Jamui. Bihar
3. The Additional District Magistrate, Jamui. Bihar
4. The Deputy Collector Land Reforms- cum-Sub Divisional Officer, Jamui, District - Jamui. Bihar
5. The Circle Officer, Gidhaur Anchal, District - Jamui. Bihar
6. Ranjeet Ram Son of Late Rameshwar Ram Resident of Village- Gidhaur, Police Station- Gidhaur, District- Jamui. At present Head Master Banjhuliya Primary School, Banjhuliya, Police Station - Gidhaur, District- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Raghwanand, GA-11
		Mr. Rajnish Shandilya, AC to GA- 11

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-06-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for quashing the letter no. 433 dated 08.05.2025 issued by the Circle Officer, Gidhaur, District Jamui by which Learned Circle Officer has ordered to remove the article like stone chips from the petitioner's purchased land i.e. Khata No. 44, Kheshra No No. 5/405 area 22 decimals and also directed to create Jamabandi after mutate the name of the petitioner and his two



brothers named in the Serista of Bihar, because petitioner along with his two brothers filed an online Jamabandi for their purchase land on 04.07.2024 is still pending.

3. Learned counsel for the petitioner submits that the petitioner and his two brothers have purchased land from one Janki Devi by virtue of sale deed No. 6150, serial No. 6187 dated 01.07.2024 (Annexure-P/1). It has been submitted that after the purchase of the said land, the petitioner came into possession and filed an online application for mutation on 04.07.2024, just three days after the purchase of the land, before the Circle Officer, Gidhaur Anchar, District - Jamui (Respondent No. 5). Counsel further submits that no decision has been taken on his application till date by the Circle Officer (Respondent No. 5). Counsel further submits that Respondent No. 5 is in connivance with Respondent No. 6 and, under his collusion, has issued a notice to the petitioner on 08.05.2025, contained in Letter No. 433, to remove the stone chips for measuring the land. It has been submitted by learned counsel for the petitioner that the Circle Officer has no power under the Bihar Land Dispute Resolution Act, 2009, to measure the land or to direct the removal of articles placed on personal land without the permission or consent of the landowner. Counsel further submits



that the petitioner's mutation application has been pending before the Circle Officer for the last 11 months, for reasons best known to him.

4. Learned counsel for the State, on the other hand, submits that the writ petition is fit to be dismissed. Counsel further submits that due to the strange attitude of the petitioner, the measurement could not take place on the said land. Counsel further submits that the application is pending only for the reason that the petitioner has kept his stone chips on the said land.

5. After hearing the parties and perusal of the documents, it transpires to this Court that upon purchase of the land, the purchaser is bound to follow the mutation act and its rules, according to which the purchaser has to file an application, either physically or online, for mutation of the purchased land in his favour. Here, in the present case, vide Annexure P/3, it transpires to this Court that the petitioner has applied for mutation of his land in his favour along with his brothers, who are co-purchasers, but for the last 11 months, the Circle Officer has been sitting tight over the matter.

6. It is made clear that every person residing within the territory of this welfare country must follow the rules and



laws related to mutation. The rule of law is the Bihar Land Mutation Act, 2011 and its Rules, 2012 (Amendment Rules, 2017). Rule 6 of the Bihar Land Mutation Rules, 2012, states as follows:—

“6. Disposal of Mutation Cases in Regular Court. -Mutation petitions received on the RTPS Counter will be disposed of in the regular court of the Circle Officer. The Circle Officer will get enquiry report of Halka Karamchari and Revenue officer on receipt of such mutation petitions or enquire the matter on his own and issue general notice in Form-XI and specific notice in Form-XII. After expiry of the period of filing objections, shall dispose of in his regular court in the following manner:-

[(i) Online mutation applications/petitions, in which objections have not been received, shall be disposed of within 35 (thirty five) maximum working days from the date of receipt of the petition by passing such order, as the Circle Officer may deem lawfully proper.

(ii) Online land mutation applications/petitions, in which objections have been received, shall be disposed of within a maximum of



75 (seventy five) working days from the date of receipt of the petition by passing such order as the Circle Officer may deem lawfully proper, after hearing the respective parties and providing them reasonable opportunity of producing evidences, as the case may be.]”

7. The said rule clearly indicates that an online mutation application/petition in which objections have not been received shall be disposed of within a maximum of 35 working days from the date of receipt of the petition, and an online mutation application/petition in which objections have been received shall be disposed of within a maximum of 75 working days from the date of receipt of the petition. Here, in the present case, the Circle Officer has been sitting tight for the last 11 months. This Court acknowledges that it is an unfortunate affair on the part of the Circle Officer, who must decide the mutation petition of the petitioner in accordance with law within the prescribed time frame.

8. It is made clear that he has already violated the established law, therefore, the Circle Officer is directed to pass order on the mutation application of the petitioner within 30 days from the date of communication of this order.



9. So far as Letter No. 433, dated 08.05.2025 (Annexure P/4) is concerned, the same shall not be operative until a final decision on the mutation application is made. After passing the final order on the mutation application, the petitioner shall be at liberty to move in accordance with law.

10. Accordingly, the present writ petition stands allowed.

(Dr. Anshuman, J.)

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