

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10206 of 2024**

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Sunita Singh Wife of Shri Raj Kumar Singh, resident of- Saristabad,  
Rajputana, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar at Patna.
2. The District Magistrate-cum-Collector, Patna.
3. The Sub-Divisional Magistrate, Patna Sadar, Patna.
4. The Deputy Collector Land Reforms, Patna Sadar, Patna.
5. The Circle Officer, Patna Sadar, Patna.

... .. Respondent/s

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**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr. Kamala Kant Tiwary              |
| For the Respondent/s | : | Mr. S.D. Yadav, AAG-9               |
|                      |   | Mr. Braj Bhushan Mishra AC to AAG-9 |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      27-01-2025                      1. Heard learned counsel for the petitioner and learned  
AC to AAG-9.

2. The learned counsel appearing on behalf of the petitioner submits that petitioner was serving Rajrani Kunwar, her grandmother, and her grandmother being impressed by her dedication towards her, executed a Will with regard to certain land in favour of the petitioner as detailed in the writ application in a proper frame of mind. It is submitted that after the death of Rajrani Kunwar, the petitioner applied for getting the Will probated by filing Probate Case No. 28 of 2001 against the Estate of Late Most. Rajrani Kunwar and others before the



learned Additional District & Sessions Judge-VIII, Patna for grant of probate with respect to the registered Will dated 22.09.1998, it is submitted that the probate case was converted into Testamentary Suit No. 05 of 2004 by the order of the learned District Judge, Patna on 25.03.2004, the Court after hearing the learned counsel for the parties and after considering the documentary evidences brought on record, the learned Trial Court came to a considered conclusion that testator i.e. Rajrani Kunwar was in sound state of mind at the time of execution of the Will and thus the Will was held to be genuine, valid and legal and accordingly, the same was probated. It is submitted that thereafter petitioner filed Mutation Case No. 684/3 of 1998-1999 before the Circle Officer, Patna Sadar, Patna for mutating the scheduled properties in her name on the basis of judgment and order passed in Title Suit No. 05 of 2004 (arising out of Probate Case No. 28 of 2001) by which Probate certificate was issued in the name of the petitioner. It is submitted that the Circle Officer based on inquiry conducted by the *Halka Karmchhari* mutated the name of the petitioner over the lands as detailed in the Will and accordingly *Jamabandi* No. 749A was created in the name of the petitioner. It is next submitted that the petitioner started paying the rent of the land mutated in her



name, but later realized that the area mutated with respect to the land was less, as such the petitioner made an online grievance vide ID No. 20222802025940 for correction of incorrect entries in the *Jamabandi* as would manifest from the details given hereinbelow.

| Mauza                         | Khata No. | Plot No. | Total Area | Mutated Area | To be mutated |
|-------------------------------|-----------|----------|------------|--------------|---------------|
| Dhakanpura                    | 137       | 1956     | 0.10 D     | 0.04 D       | 0.06 D        |
| Anchal-Patna                  | 137       | 1966     | 0.06 D     | 0.02 D       | 0.04 D        |
| Sadar, P.S. No. 7, P.S. Patna | 137       | 1979     | 0.14 D     | 0.12 D       | 0.02 D        |
| Sadar, District-Patna         | 137       | 1796     | 0.03 D     | -----        | 0.03 D        |

3. It is submitted that the petitioner had applied for *Parimarjan* on 23.04.2022, but till date the online application of the petitioner is pending consideration.

4. The learned State counsel submits that that from perusal of Para-15 of the writ application, it would manifest that Kailash Singh and others have filed First Appeal No. 241 of 2019 before this Court against the judgment and order dated 18.11.2019 passed in T.S. No. 05 of 2004 impleading the petitioner and others as respondent, which is pending adjudication, on which the learned counsel for the petitioner submits that pendency of first appeal should not come in the way of the Circle Officer for correcting the incorrect entries. It is also submitted that ultimately even if the entries with respect



to the willed land are corrected, the same will always abide by the final judgment passed against the judgment dated 18.11.2019 in T.S. No. 05 of 2004.

5. The learned State counsel, at this stage, submits that the writ application can be disposed of with a direction to the Circle Officer, Patna Sadar, Patna to dispose of the grievance of the petitioner as raised vide Grievance I.D. No. 20222802025940

6. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the Circle Officer, Sadar Patna to dispose of the *Parimarjan* case of the petitioner raised vide Grievance I.D. No. 20222802025940 within a period of three months from the date of receipt/production of a copy of this order, in accordance with law.

(Satyavrat Verma, J)

Rishabh/-

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