

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9933 of 2025

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Ashwini Kumar Gupta S/o Late Ram Chandra Prasad Gupta R/o Mohalla
-Rajiv Nagar Road No. 20 P.S.-Rajiv Nagar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Araria.
2. District Magistrate, Araria.
3. Addl. Collector, Araria.
4. Land Reforms Deputy Collector, Araria.
5. Circle Officer, Raniganj, Araria.
6. Vishwajeet Roy S/o Late Jagdish Chand Roy R/o Mohalla-Station Road,
Ward No. 18, Araria, PS-Araria, District-Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur, Advocate
For the Respondent/s : Mr.Ramadhar Singh, GP-25

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-06-2025 Heard the parties.

2.The present petition has been preferred for the
following relief/s:

*(i) for setting aside the order dated
03.06.2024 passed by the Circle Officer,
Raniganj, Araria in Mutation Case No.
134 R27 /2024-25 whereby the name of
respondent 6 was mutated over 7.80
acres of land of his maternal
grandfather in Mouza Kumharar in the
district of Araria without following the*



procedures prescribed under the Bihar Mutation Act, 2011;

(ii) for direction to the Circle Officer, Raniganj, Araria to allow mutation of the respondent 6 over his proportionate share in the land of his maternal grandfather in accordance with law after providing full opportunity to other shareholders including the petitioner;

(iii) for any other order(s) may be passed, direction(s) given or relief granted to the petitioner which he is entitled to in the facts and circumstances of the case.

3. At the outset, learned State Counsel submits that against the order passed by the Revenue Authority, the petitioner ought to have preferred appeal.

4. Learned counsel for the petitioner submits that the problem is that immediately after the mutation, the respondent no.6 has started selling the land and as such an interim order has to be passed in the matter.

5. Learned State Counsel submits that the Appellate



Court has all the powers to pass a reason order, much less the interim orders.

6. In that background, the learned counsel for the petitioner submits that he shall be approaching the Appellate Authority in next two weeks with all the proper documents alongwith his prayer for interim relief.

7. If such an appeal is preferred within two weeks, the Appellate Authority shall take up the matter and after noticing the parties should take a decision on the prayer of the petitioner for grant of any interim relief too.

8. Needless to say, any order is to be passed after hearing the necessary parties.

9. If the appeal is preferred in next two weeks from today, the Appellate Authority while taking up the limitation petition shall further take note of the fact that the writ petition was filed in the year 2025.

10. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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