

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15216 of 2025

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1. Md. Shamshad Ahmad @ Mohammad Shamshad Ahmad S/o Md. Mumtaz Ahmad Resident of village- Pachatti, Post and P.S.- Bodhgaya, Dist.- Gayaji, Bihar
 2. Md. Shahlal Ahmad, S/o Md. Mumtaz Ahmad, Resident of village- Pachatti, Post and P.S- Bodhgaya, Dist.- Gayaji, Bihar.
 3. Md. Tahir Hussain, S/o- Mumtaz Ahmad, Resident of village- Pachatti, Post and P.S.- Bodhgaya, Dist.- Gayaji, Bihar.
 4. Md. Adil Tanha, S/o- Md. Mumtaz Ahmad, Resident of village- Pachatti, Post and P.S - Bodhgaya, Dist - Gayaji, Bihar.
 5. Raj Kumar, S/o - Ramdeo Sao, Resident of village- New Taradih, Bodhgaya, Post and P.S- Bodhgaya, Dist - Gayaji, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reform Department, Bihar, Patna.
2. The Principle Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna.
3. The Commissioner, Magadh Division, Gayaji.
4. The Collector, Gayaji.
5. The Deputy Collector, Land Reform, Gayaji.
6. The Circle Officer, Bodh Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Amar Alam, Adv .
For the Respondent/s : Mr.Anil Kumar Verma, AC to AG (9)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 26-09-2025 The instant writ petition has been filed under Article 226 of the Constitution of India by the petitioners seeking the following reliefs:-

“(I) For issuance of appropriate writ(s) thereby commanding upon the Respondents No-6 to Mutate the names of the petitioners in the



revenue records of the State with respect to the petitioner's self purchased Land situated at Mauza Bodh Gaya, Thana No 359, Khata No 1034, Plot No 3024, bearing Area - 7.5 Decimal and to issue rent receipts in their names in light of the order dated 31/03/2021 passed by the Respondent No - 5 in Mutation Appeal No - 66/2019-20 (Md. Shamshed Ahmad and Ors VS C.O Bodhgaya) arising out of Mutation Case No 236 R27/2018-19 Bodh Gaya in which vide order dated -17/08/2019 the respondent No 6 had rejected the Mutation application in an arbitrary and illegal manner and the Respondent No - 5 vide order dated - 31/03/2021 allowed the appeal and directed the Respondent No-6 to take necessary steps for Mutating petitioners names in the land in question.

(II) For further issuance of appropriate writ(s) thereby commanding upon the Respondents No 5 to dispose of the petitioners Fresh Mutation Appeal No 38/2024-25 arising out of Fresh Mutation Case No987/R27/2022-23 for the same piece of Land which has been illegally kept pending for a considerable period without any proper explanation and reasoning.

(III) For a declaration holding that the Land in question is no more Anabad Bihar Sarkar after the order dated 04/07/2000 passed in Case No 5527/1999 U/S-106 B.T Act by the competent court in favour of petitioner's vender namely Raj



Kumar Prasad, Petitioner No - 5.

(IV) For grant of any other relief (s) which the petitioner may be entitled to in the facts and circumstances of the case”.

2. Heard Mr. Amar Alam, learned counsel for the petitioners and Mr. Anil Kumar Verma, learned AC to AAG 9.

3. During the course of argument, it comes to the knowledge of this court that the Mutation Appeal No. 38/2024-25 filed by the petitioners no. 1 to 4 with regard to the issue of mutation in respect of the land in question is pending before the respondent no.5, so, in view of this fact, this court is not inclined to exercise its writ jurisdiction to decide the issue raised by the petitioners. However, The Deputy Collector, Land Reforms, Gayaji, respondent no.5, where the appeal of petitioners no. 1 to 4 is pending is expected to expedite their appeal as the petitioners nos. 1 to 4 had to approach the respondent no.5 second time for redressing their grievance.

4. Accordingly, this writ petition stands disposed of.

(Shailendra Singh, J)

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