

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14384 of 2025

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Md. Shahnawaz, Son of Mosuz Zama, resident of village- Mahua Mukundpur,
P.S- Mahua, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate Hazipur.
3. The Additional Collector Vaishali.
4. The Deputy Collector Land Reforms, Mahua Vaishali at Hazipur.
5. The Circle Officer, Mahua Vaishali at Hazipur.
6. Md. Farooque, son of Late Md. Sayeed, resident of village- Mukundpur, Mahua, P.S- Mahua, District- Vaishali.
7. Md. Hamza Ali, son of Late Md. Sayeed resident of village- Mukundpur, Mahua, P.S- Mahua, District- Vaishali.
8. Md. Martuza Ali, son of Late Md. Sayeed resident of village- Mukundpur, Mahua, P.S- Mahua, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajib Ranjan Jha, Adv. Mr. Girish Chandra Jha, Adv.
For the State	:	Mr. Government Pleader (05)

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-09-2025 The instant writ petition has been filed by the

petitioner under Article 226 of the Constitution of India, seeking

the relief, which reads as under :-

*‘For issuance of appropriate writ or
writs, direction or directions commanding the
respondents particularly the respondent no. 5 to
comply the direction issued by the respondent
no. 3 in cancellation of Mutation Revision Case
No. 512/2018-19 vide order dated 06.12.2019 by
which respondent no. 5 was directed to ensure*



passing of the order after hearing the parties under the Bihar Land Mutation Act 2011 and/or issuance of an appropriate consequential writ or writs under the facts and circumstances of the case.'

2. Heard learned counsel for the petitioner and learned Government Pleader-5 for the State.

3. Learned counsel for the petitioner submits that the petitioner and his brothers filed Mutation Case No. 1723/2001-02 before the Circle Officer, Mahua, (Respondent No. 5) seeking mutation of the land in question in their names and thereafter, the Respondent No. 5 granted approval for the mutation of the said land in favour of the petitioner on 09.03.2002 (Annexure-'P/1'). The private respondent Nos. 6 to 8 filed Mutation Appeal Case No. 04/2003-04 before the Deputy Collector, Land Reforms, Mahua, Vaishali (Respondent No. 4) against the order dated 09.03.2002 passed by the Respondent No. 5 in Mutation Case No. 1723/2001-02. Thereafter, the Respondent No. 4 after hearing the parties, set aside the order of the Mutation Case No. 1723/2001-02 and allowed the Mutation Appeal Case No. 04/2003-04 vide order dated 12.01.2004 (Annexure- 'P/3'). Thereafter, the petitioner and his brothers filed Mutation Revision Case No. 512/2018-19 before the



Additional Collector, Vaishali, (Respondent No. 3) against the order dated 12.01.2004 passed in Mutation Appeal Case No. 04/2003-04 and in that Mutation Revision Case, the Respondent No. 3, vide his order dated 06.12.2019 (Annexure- 'P/4'), set aside the order dated 12.01.2004 passed by the Respondent No. 4 as well as the order dated 09.03.2002 passed by the Respondent No. 5 and remanded back the case before the Respondent No. 5 with specific direction to conduct a personal spot inspection and pass a fresh order after giving opportunity of hearing to both the sides, but even then the Circle Officer, Mahua is sitting tight and has not taken any action, so, the main grievance of the petitioner is to get a fresh order from the Circle Officer, Mahua in compliance with the direction given by the Respondent No. 3 in the Mutation Revision Case No. 512/2018-19. It is further submitted that the revisional court's order dated 06.12.2019 has got finality.

4. Considering the aforesaid submissions and having taken into account the averments made in the petition, the Circle Officer, Mahua (Respondent No. 5) is hereby directed to comply with the Revisional Court's order dated 06.12.2019 passed in Mutation Revision Case No. 512/2018-19, at the earliest, preferably within eight weeks from today, failing which the



petitioner will have a liberty to move an application before the concerned Additional Collector, who passed order dated 06.12.2019 in Mutation Revision Case No. 512/2018-19 for taking legal action against the Circle Officer, Mahua (Respondent No. 5). Accordingly, with this observation, the instant writ petition stands disposed of.

(Shailendra Singh, J)

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