

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17112 of 2025

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1. Deepak Kumar son of Kishori Ray, resident of Village- Sundar Saray Nagar, P.O. and P.S.-Motipur, District- Muzaffarpur.
 2. Gaurav Kumar, son of Raj Kishore Chaudhary, resident of Village- Narsanda, P.O. and P.S.- Kanti, District- Muzaffarpur.
 3. Navin Kumar, son of Late Ashok Kumar, resident of Village- Kanti Kaswa, P.O. and P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Principal Secretary, Agricultural Department, Government of Bihar, Patna.
4. The Commissioner, Tirhut Division, Muzaffarpur.
5. The Collector, Muzaffarpur.
6. The Deputy Collector Land Reforms, (West), Muzaffarpur.
7. The Sub-Divisional, Agricultural Officer, (West), Muzaffarpur.
8. The Circle Officer, Kanti, Muzaffarpur.
9. Himanshu Kumar, son of Shiv Shankar Chaudhary presently posted as Sub-Divisional Agricultural Officer, (West) Muzaffarpur, Department of Agriculture, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Karandeep Kumar, Advocate
For the Respondent/s	:	Mr. Government Pleader (23)
	:	Mr. Sanjay Kumar, AC to GP-23

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-11-2025 Heard Mr. Karandeep Kumar, learned counsel for the petitioner and Mr. Sanjay Kumar, learned AC to GP-23 representing the State.

2. The present petition has been preferred for the grant of following relief(s):



“(i) for issuing writ of certiorari to quash the notice as contained in Notice No. 2270, dated 18.08.2025 in connection with Mutation Appeal Case No. 1098 of 2025-26 issued under the signature of the learned Deputy Collector Land Reforms, West, Muzaffarpur which was served to the petitioners on 07.09.2025 whereby and whereunder the order of mutation dated 18.02.2025 passed in Circle Officer in Mutation Case No. 5464 of 2025 is under challenge and the date of hearing has been fixed on 08.09.2025.

(ii) to declare the case bearing Mutation Appeal Case No. 1098 of 2025-26 filed by the respondent No.7 against the petitioners as null and void pending before the learned DCLR, (West) Muzaffarpur on the ground that with respect to the land in question a title suit bearing Title Suit No. 303 of 2018 was filed by the petitioner No. 3 against the State of Bihar before the court of learned Sub-Judge- 4th, West, District-Muzaffarpur seeking for declaration of



title over the land in question in which the judgment has been passed vide judgment dated 21.11.2023 and the decree has been prepared in favour of the petitioner No. 3 vide decree dated 01.12.2023.

(iii) for commanding and directing the respondent authority to protect the personal liberty, life and property to the petitioners which is under threat at the hand of anti-social elements.

(iv) and for grant of any other relief(s) for which petitioner is found to be entitled in view of the facts and circumstances of this case.”

3. It is the contention of the petitioner that the matter relates to land as detailed out in paragraph no. 4 and 5 (R.S. Khata No. 2285, Khesra No.10324, Area 44 Decimal situated under Mauza-Kanti Kasba, Anchal-Kanti, Thana No. 63, District-Muzaffarpur and C.S. Khata No. 1, C.S. Khesra No. 5329 area 6 Acres is situated in Mauza-Kanti Kasba, Muzaffarpur.

4. The petitioner no.3, claims to be owner of the land which has been sold to petitioner no.1 and 2, petitioner no.3,



Navin Kumar earlier moved before a competent Civil Court in Title Suit No. 303 of 2018 (Navin Kumar vs. State of Bihar and Ors.) and the court of learned Sub-Judge-IV, West, Muzaffarpur vide an order dated 21.11.2023 accepted the title in possession of the plaintiff on the disputed land. Learned counsel further submits that the Mutation Case No. 5464 of 2024-25, the Circle Officer, Kanti, Muzaffarpur mutated the land in favour of petitioner no.1 and 2.

5. They are now aggrieved that against the said limitation order, the Deputy Collector Land Reforms, West, Muzaffarpur on the appeal preferred by the State of Bihar, has issued notice, the same is under challenge.

6. It is the contention of the petitioner that once the court has passed an order, the Deputy Collector Land Reforms, West, Muzaffarpur has no authority to move further.

7. Learned State counsel on the other hand submits that a notice has been issued, the petitioners have all the right to put forward their points/facts/documents to convince the authority, instead they have rushed to the court.

8. The Court is in line with the submission put forward by the learned State counsel. A notice has been issued, the petitioners armed with all the documents can put forward



their view/facts/pleadings so that the concerned authority take the matter to its logical conclusion. Instead they have rushed to the Court.

9. Accordingly, the writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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