

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19157 of 2025

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Jyoti Kumari Banka W/o Deepak Kumar Banka, Resident of Mohalla- Mill Road, Ward No.- 08, Pargana- Farkiya, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary Revenue and Land Reforms Department, Govt. of Bihar, Patna. Bihar.
2. Additional Chief Secretary Revenue and Land Reforms Department, Govt. of Bihar, Patna, Bihar.
3. District Collector, Khagaria.
4. Additional District Magistrate, Khagaria.
5. Deputy Collector Land Reforms, Khagaria.
6. The Circle Officer, Khagaria.
7. Sonu Kumar @ Sonu Agrawal, S/o - Late Harilal Agrawal, Resident of Mohalla- Mill Road, Ward No.- 08, Pargana- Farkiya, P.S.- Khagaria, District- Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shrinandan Pd. Singh, Sr. Advocate
		Mr. Gaurav Kumar, Advocate
For the Respondent/s	:	Mr. Rakesh Kumar Ranjan, AC to GA-5

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-11-2025 Heard Mr. Shrinandan Pd. Singh, learned Senior Advocate for the petitioner and the State.

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

“for issuance of appropriate writ, order or direction for setting aside the orders passed by the Additional Collector, Khagaria dated 30.07.2023 (contained in Annexure-3) and order passed by the Hon'ble Chairman, BLT dated



23.01.2025 contained in Annexure-4 and for further direction to Anchal Adhikari, Khagaria, respondent no.6, to ascertain the actual possession of the land on the basis of plot no. and boundaries of the land given in the deed of gift executed in favour of the petitioner the deed of gift dated 27.04.2017.”

3. The matter relates to a piece of land under Mauza – Mathurapur, Thana no. 265, Khata no. 115, Khesra no. 2060 (Area 0.677 decimal).

4. The petitioner and the so called adopted son (as per the submission put forward by the learned Senior counsel) are fighting the battle for the aforesaid piece of land which ultimately led them to the Court of Additional Collector, Khagaria in Mutation Revision Case No. 67 of 2022 (Jyoti Kumari Banka vs. Sonu Kumar @ Sonu Agarwal). It came to be disposed of on 30.07.2023.

5. The document which is in favour of Jyoti Kumari Banka, the details of the land have been wrongly recorded. Accordingly, the Additional Collector directed the revisionist to get the said gift deed corrected so that proper mutation application can be filed/disposed of.



6. Aggrieved by the said order, the opposite party Sonu Kumar @ Sonu Agrawal moved in BLT Case No. 37 of 2024 before the Bihar Land Tribunal, Patna (henceforth for short 'the BLT') (Sonu Kumar @ Sonu Agarwal vs. The State of Bihar & Ors.). It came to be disposed of on 23.01.2025 and 'the BLT' rightly recorded that the Additional Collector has simply recorded that once the details of the gift deed is corrected, steps can be taken for mutation. To get the record straight, the word allowed is deleted by 'the BLT'.

7. Now it is the turn of the Jyoti Kumari Banka to approach this Court.

8. Learned Senior counsel for the petitioner submits that the petitioner has been burdened with correcting the gift deed which could have been rectified/land could have been mutated.

9. Learned State counsel objects to the same and submits that when the details in the gift deed is not correct, it will not be possible for the Revenue Officers to take the matter further to its logical conclusion. The submission is that the Additional Collector as also 'the BLT' have passed positive orders and in that background, the petitioner should have got the gift deed corrected.



10. This Court do not find any illegality in both the orders passed by the Additional Collector, Khagaria as also ‘the BLT’, simple observation has been made that the petitioner has to get the details corrected whereafter the Revenue Officers shall be taking up the matter.

11. In that background, with the observation that the petitioner, if so wants, can follow the direction of the Additional Collector, endorsed by ‘the BLT’, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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