

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19906 of 2025

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Ram Ahlad Rai Son of Late Saryug Rai, Resident of Village-Kutubpur
Rariyahi, Ward No. 9, P.S. Tajpur (O.P. Halai), District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Additional Collector, Samastipur.
4. The Deputy Collector Land Reforms (DCLR), Samastipur.
5. The Circle Officer, Morwa, District-Samastipur.
6. Bhuvneshwar Rai, Son of Late Mauje Lal Rai, Resident of Village-Saraisa, P.S. Tajpur (Halai O.P.), District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate
For the Respondent/s : Mr. Ranjay Kumar Singh, AC to SC-6

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-12-2025 The instant writ petition has been filed by the

petitioner under Article 226 of the Constitution of India, seeking

the following relief(s):-

*“ (i) For issuance of an appropriate writ in
the nature of mandamus, commanding and directing the
Respondent No. 5 Circle Officer, Morwa, Samastipur
District to comply with the order dated 12.01.2019
passed by the Additional Collector, Samastipur in
Mutation Revision Case No. 245/2016, and dispose of
the petitioner's mutation case within a period of four
weeks from the date of receipt of this Hon'ble Court's
order.*

*(ii) For further direction to the District
Magistrate, Samastipur; to initiate departmental*



proceedings against the concerned Circle Officer for wilful non-compliance of lawful superior orders and dereliction of duty.

(iii) For further direction to take coercive and punitive action against the Circle Officer under the applicable service conduct rules and for contemptuous disregard of lawful directions of the superior revenue authority.

(iv) And for any other relief(s) to which the petitioner may be found entitled in the interest of justice.”

2. Mr. Brajesh Kumar Singh, learned counsel for the petitioner and Mr. Ranjay Kumar Singh, learned AC to SC-6 appearing for the State-respondents are present and they are heard.

3. The main grievance raised by the petitioner is that the Circle Officer, Morwa has not complied with the order passed by the Additional Collector, Samastipur in the Mutation Revision No. 245/2016 by which the petitioner's case was remanded back to the Circle Officer, Morwa after setting aside the orders dated 14.03.2016 passed by the Circle Officer, Morwa and order dated 15.11.2016 passed by the DCLR, Samastipur giving direction to the Circle Officer, Morwa, to inspect the land in question in the presence of both the parties and take steps to regularize the possession of the concerned



party and pass a reasoned and evidence based order within three months but despite the passing of several years, the revisional court's order is not being complied by the Circle Officer, Morwa and therefore, the petitioner has to approach to this Court.

4. After having heard both the sides, this Court is of the view that the issue raised by the petitioner before this Court is subjudice before the Circle Officer, Morwa. Though, an extraordinary delay has taken place in deciding the said issue, so, considering this aspect the Circle Officer, Morwa (Respondent No. 5) is directed to decide the petitioner's issue in the light of the direction given by the Additional Collector in the order dated 12.01.2019 passed in the Mutation Revision Case No. 245 of 2016 as per the provisions of law within eight weeks from the date of receipt or production of this order's copy after giving sufficient opportunities of hearing to all the concerned parties.

5. The petitioner will have a liberty to file an application before the Circle Officer, Morwa (Respondent No. 5) to bring all the relevant facts particularly the order of the Additional Collector, Samastipur passed in Mutation Revision Case No. 245/2016 in the knowledge of concerned Circle



Officer for getting compliance of the same. If he files an application in this regard within four weeks then the Cricle Officer, Morwa, shall take an appropriate action as per the provision of law.

6. Accordingly, the instant writ petition stands disposed of.

(Shailendra Singh, J)

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