

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 7598 of 2026

=====

Smt. Rampari Devi, W/o- Ramchandra Prasad Singh, Resident of Village-
Murgichak, P.S.- Ghosi, District- Gaya at present District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate -cum- Collector, Gaya Jee.
2. The District Magistrate-cum-Collector, Gaya Jee.
3. The Additional Collector, Gaya Jee.
4. The Superintendent of Police, Gaya Jee.
5. The Sub Divisional Officer, Sadar, Gaya Jee.
6. The Deputy Collector Land Reforms, Sadar, Gaya Jee.
7. The Sub Divisional Police Officer, Bodh Gaya, Gaya Jee.
8. The Circle Officer, Bodh Gaya, District- Gaya, Gaya Jee.
9. The Circle Inspector, Bodh Gaya Block, District- Gaya Jee.
10. The Station House Officer, Bodh Gaya Police Station, District- Gaya Jee.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Niranjan Kumar, Advocate
For the Respondent/s : Mr. Standing Counsel (15)

=====

CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

2 23-06-2026 Heard learned counsel for the parties.

2. The petitioner instead of approaching the statutory
body i.e. the Bihar Land Tribunal, directly approached this
Hon'ble Court for the reliefs as prayed for in paragraph no. 1 of
the writ petition:-

*“(i) For issuance of writ in the
nature of Mandamus for directing and
commanding the responsible respondent
authorities, specially Respondent No. 8 i.e.
Circle Officer, Bodh Gaya, District- Gaya Jee to
consider and mutate the land of the Petitioner
by fixing the rent of the same piece of land,*



appertaining to total area 04.36 Acre having Old Khata No. 106 (New Khata No. 288), Old Plot No.188, (New Plot No., 579), Thana No. 357, Mauza- Ratnara Gangabigha, Tola-Ratibigha, Thana- Bodh Gaya, P.S- Bodh Gaya under the District of Gaya Jee (Bihar) in the name of the Petitioner as the petitioner is having absolute right, title and ownership as well as peaceful possession over the abovementioned properties, upon which, she has got absolute right, title and interest over the aforesaid land vide judgement and decree dated 18.01.2013 passed by the Learned Sub Judge IVth, Gaya Jee in Title Suit No. 306/2009 // 100/2009 (Smt. Rampari Devi Versus The State of Bihar through Collector and ors.) and also in pursuance of order dated 05.04.2024 passed by the Bihar Land Tribunal (BLT) in B.L.T Case No. 563 of 2023.

(ii) For issuance of writ in the nature of Mandamus for directing and commanding the Respondent Authorities No. 8, particularly the Circle Officer, Bodh Gaya, District Gaya Jee, to forthwith comply with and give effect to the order dated 05.04.2024 passed by the Hon'ble Chairman, The Bihar Land Tribunal, Patna in B.L.T. Case No. 563 of 2023, as the matter has been remitted back to the circle officer Bodh Gaya to pass fresh order in accordance with law after looking into the Judgment and Decree passed in Title Suit No. 306/09//100/09 and giving opportunity of hearing to petitioner within a period of three month from the date of receipt/production of this order.

(iii) For issuance of writ in the nature of Mandamus for directing and commanding the Respondent Authorities to dispose of the matter strictly in accordance with law and in compliance of the directions issued by the Bihar Land Tribunal within such period as this Hon'ble Court may deem fit and proper.

(iv) For issuance of any order or orders for your lordship may deem fit and proper in the facts and circumstances of the case.”

3. At this stage, learned counsel for the State raises preliminary objection to the effect that statutory alternative



remedy is available to the petitioner. He submits that during pendency of the writ petition, Bihar Land Tribunal has become functional and proviso to Section 15 of the Bihar Land Tribunal Act, 2009 which reads as *“Provided further that it shall be open to the High Court of Judicature at Patna to remit the dispute pending adjudication in any writ proceeding before it for adjudication by the Tribunal”*.

4. Section 15 of the Act of 2009 stipulates that all cases connected with the Acts/Manuals dealt with under Section 9 of this Act and pending in the High Court of Judicature at Patna, but excluding writ petitions filed under Articles 226 and 227 of the Constitution of India and cases pending with the State Government, immediately before the commencement of this Act, as could have been within the jurisdiction of such Tribunal, and cases arising after the commencement of this Act, as would have been within the jurisdiction of such Tribunal, shall stand transferred to the Tribunal with effect from the said date of commencement.

5. Section 9 of the Bihar Land Tribunal Act, 2009 delineate the power of the Bihar Land Tribunal to entertain applications related to the Acts as mentioned hereunder:-

- “(i) The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961*
- (ii) The Bihar Land Reforms Act, 1950*



- (iii) The Bihar Tenancy Act, 1885*
- (iv) The Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956*
- (v) [xxx]*
- (vi) The Bihar Bhoodan Yagna Act, 1954*
- (vii) The Bihar Privileged Persons Homestead Tenancy Act, 1947*
- (viii) The Bihar Government Estates Manual, 1953*
- (ix) The Bihar Settlement Manual 2[(x) Bihar Land Disputes Resolution Act, 2009*
- (xi) Bihar Special Survey and Settlement Act, 2011*
- (xii) Bihar Land Mutation Act, 2011”*

Further Section 9(2) of the Act (supra) says :-

“ (2) In addition, the Tribunal shall decide any case transferred to it by the Government of Bihar or by the Hon’ble High Court of Judicature at Patna with regard to any other revenue or land reforms Law/Manual for the time being in force.”

6. In this backdrop learned counsel for the petitioner prays for disposal of the writ application granting liberty to the petitioner to approach the Bihar Land Tribunal for proper adjudication of the matter.

7. In view of the aforesaid submission, let the petitioner file a fresh application before the Bihar Land Tribunal for adjudication of the matter, within a period of three weeks from the date of receipt of this order.

8. It goes without saying that if any question of limitation arises before the competent authority, the same shall be considered taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India.



9. Thus the writ petition stands disposed of in the
aforesaid terms.

(Rana Vikram Singh, J)

saaurabh.kr/-

U			
---	--	--	--

