

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20937 of 2025

=====

Anshu Devi wife of Pankaj Kumar Singh @ Pankaj Singh, resident of village
Birdwara (Katghartola), P.S., Kasim Bazar, P.O. Munger District Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reforms, Government of Bihar, Patna.
2. The Secretary, Department of Land Reform and Revenue Government of Bihar, Patna.
3. The Commissioner, Bhagalpur Division, Bhagalpur,
4. The District Magistrate, Banka.
5. The Additional District Magistrate, Banka.
6. The Deputy Collector Land Reforms DLR, Banka.
7. The Circle Officer, Chaandan, District Banka.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Deep Anshuman, Advocate

For the Respondent/s : Mr. Hari Mohan Mishra, AC to GP 27

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 13-01-2026 Heard Mr. Deep Anshuman, learned counsel

 appearing on behalf of the petitioner and Mr. Hari Mohan

 Mishra, learned AC to GP 27 for the State.

2. Petitioner has *inter alia* prayed for following reliefs

in the paragraphs No.1 of the writ petition:-

*“A. A writ in the nature of mandamus or on
other appropriate writ/writs, direction/directions
commanding the respondent no.7, the circle officer,
Chaandan (Banka) to pass final order in connection with
Mutation Application No.TEMP/318/2025-2026 as
contained in Annexure -P/8 (series) under Section 6 of the
Bihar Land Mutation, Rules 2012.*

*B. A writ in the nature of mandamus or any
other appropriate writ/writs, order/orders,
direction/directions commanding the respondent no.3 to 7
to BEHAVE as public SERVANTS and to SHY AWAY from
the duty and oath to work for the cause of general public
including petitioner.*

C. To why other relief/reliefs to which the



petitioner may be found to be entitled too.”

3. Learned counsel appearing on behalf of the petitioner submitted that petitioner had purchased 2 acres of land appertaining to Khata No. 9, Khesra No. 1602, Thana No. 128, situated at Mauza Chihutjor, Anchal Chaandan, District Banka, through registered sale deeds Nos. 8776 and 1499 dated 25.07.2023, executed by Kailash Yadav, son of Late Ram Kishun Yadav. Prior to abolition of Zamindari, the land was settled by the ex-Zamindar Thakur Jaswant Prasad Singh in favour of Babu Gaibi Chaudhary, whose name was duly recorded in Register-II at Anchal Chaandan over 40 acres 11 decimals, including the proceeding plot, and rent receipts were issued in his name. The recorded *Raiyat* Gaibi Chaudhary sold 12 acres 29½ decimals to Ram Kishun Yadav in the year 1990, pursuant to which Jamabandi No. 42/10 was created in the purchaser's name. Out of the said land, 1 acre 50 decimals was transferred by Ram Kishun Yadav to the Government of Bihar for public purpose vide registered deed No. 2845 dated 08.03.2007. After the death of Ram Kishun Yadav, his son Kailash Yadav sold 2 acres to the petitioner on 25.07.2023, and the petitioner has since been in peaceful possession thereof. The petitioner's mutation applications in Mutation Case Nos.



854R27/2023-24 and 853R27/2023-24 were rejected by the Circle Officer, Chaandan vide order dated 17.10.2023. On appeal, the Deputy Collector Land Reforms, Banka, by order dated 22.02.2024 in Mutation Appeal Nos. 711/2023-24 and 726/2023-24, set aside the Circle Officer's order and directed fresh consideration after proper enquiry. Despite the said direction and the Government Resolution dated 11.11.2014 governing recognition of *Raiyati* land, the Circle Officer failed to pass any order and wrongly insisted upon a *raiya* certificate. The Public Grievance Redressal Officer, Banka, by speaking order dated 30.01.2025, held that the land is raiyati in nature, that no raiyati certificate is required, and directed compliance with the D.C.L.R.'s order. Even thereafter, no action was taken, compelling the petitioner to submit a representation dated 05.03.2025 before the District Magistrate, Banka. The petitioner also applied for online mutation on 16.04.2025 vide Application Nos. TEMP/317/2025-26 and TEMP/318/2015-16, which remained pending without disposal till date.

4. *Per contra*, learned counsel appearing on behalf of the State informs that the District Magistrate, Banka after being informed about the grievance of the petitioner and the relief as sought for in the present writ petition, has advised the petitioner



to fill up a prescribed form, which is required to be filled up by the petitioner and thereafter the same will be disposed of by the District Magistrate.

5. Learned counsel appearing on behalf of the petitioner informs that petitioner has taken steps to fill up the prescribed form by taking help of the Circle Officer, Chaandan, Banka. The Circle Officer shall ensure that the petitioner is able to fill up the prescribed form, either in paper form or in digitized form, so that the District Magistrate can pass an appropriate order in accordance with law.

6. The writ petition is, accordingly, disposed of.

7. Interlocutory Application(s), if any, also stands disposed of.

(Purnendu Singh, J)

Sanjay/-

U			
---	--	--	--

