

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20620 of 2025

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Md. Ilyash S/o Late Yusuf Residing at Vill.- Duwari, P.O.- Dugul, P.S.-
Kasma, Anchal- Rafiganj, District- Aurangabad, Bihar, Pincode- 824125.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue Department, Govt. of Bihar, Patna.
2. The Collector (DM), District- Aurangabad, Bihar.
3. The Deputy Collector (D.C.L.R.) Land Reforms, District- Aurangabad, Bihar.
4. The Circle Officer, Circle- Rafiganj, District- Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Pd. Singh, Adv.
For the Respondent/s	:	Mr. K.P. Gupta, Gp10
	:	Mr. Anwar Karim, Ac to Gp10

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-01-2026 1. The petitioner claims to have purchased a piece of land situated in Khata No.55, Plot No.1359, having an area of 2 decimals, Thana Kasma, Anchal-Rafiganj, District Aurangabad, by virtue of sale deed, dated 20.02.2024. After purchase of the subject land, the petitioner submitted an application for mutation in his name for which Mutation Case No. 1595/2024-25 was instituted by the Circle Officer, who rejected the petition and refused to mutate the land in question in the name of petitioner on the ground that the land is Gairmajarwa Malik.

2. Learned counsel for the State submits that as per the statutory provision, the DCLR is the appellate authority and



the petitioner may be relegated to the remedy of appeal.

3. Considering the nature of the prayer made in the writ application and the fact that as per Section 7 of the Mutation Act, DCLR is the appellate authority against the order passed by the Circle Officer, accordingly, this writ application is disposed with liberty to the petitioner to file an appeal before the DCLR within a period of thirty days from today. If such an appeal is filed along with condonation of delay petition, the DCLR shall consider the same and pass a detailed order after giving opportunity of hearing to all concerned within a further period of three months.

4. With the aforesaid direction and observation, the present writ application stands disposed.

(Anil Kumar Sinha, J)

HarshPandey/-

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