

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.923 of 2026

Israel Azad @ Israel Ajad Son of Late Haji Maqusood Ali R/o- Village and P.S.- Dagarua, District- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land and Revenue Deptt., Govt. of Bihar.
2. The Member Administrative, Bihar Land Tribunal, Patna.
3. The Collector, Purnia.
4. The Additional Collector, Purnia.
5. The Deputy Collector Land Reforms, Biasi, Purnia.
6. The Circle Officer, Dagarua, Purnia.
7. Md. Sarafarz Alam, S/o Abdul Raqueeb R/o Village- Chamua, P.O. and P.S.- Dagarua, District- Purnia.
8. Banti Kumar, S/o Kamaldeo Poddar Resident of Village- Lasanpur, P.O. and P.S.- Dagarua, District- Purnia.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Radha Mohan Pandey, Advocate Mr. Chandra Shekhar Verma, Advocate
For the Respondent/s	:	AC to AAG 4

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 27-01-2026 Heard Mr.Radha Mohan Pandey along with Mr. Chandra Shekhar Verma, learned counsels appearing on behalf of the petitioner and AC to learned AAG 4 for the State.

2. Petitioner has *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-

“That this is an application with humble prayer for issuance of an appropriate writ(s), order(s) or



direction(s) for setting aside the impugned order dated 22.10.2025 passed by the Ld. Member Administrative of the Bihar Land Tribunal, Patna passed in BLT Case No.734/2024 through which said BLT case has been allowed erroneously and illegally and the appellate order dated 19.09.2023 passed by Ld. DCLR, Biasi passed in Mutation Appeal NO.14/2023-24 as well as Revisional order dated 05.06.2024 passed by Ld. Additional Collector, Purnia passed in Mutation Revision No.69/2023-24 has erroneously and illegally been set aside and the original order dated 19.12.2022 passed by Circle Officer, Dagarua in favour of respondent 2nd set has been restored.”

3. At the outset, learned counsel appearing on behalf of petitioner submitted that the order dated 22.10.2025 passed by the Bihar Land Tribunal in B.L.T. Case No.734 of 2024 is not sustainable, as the same has been passed by the member who is the Officer of the Indian Administrative Service and in this regard, he has relied upon a judgment passed by the Apex Court, in the case of ***State of Gujarat Vs. Utility Welfare Association***, reported in ***(2018) 6 SCC 21***.

4. Considering the aforesaid submission and in light of the law laid down by the Apex Court in the case of ***Utility Welfare Association (supra)***, the matter is remitted back to the Bihar Land Tribunal for its reconsideration by proper quorum, which is required to be chaired by the judicial member. The order dated 22.10.2025 passed by the Bihar Land Tribunal in B.L.T. Case No.734 of 2024 is quashed and set aside.

5. Accordingly, the present application stands



disposed of.

(Purnendu Singh, J)

Sanjay/-

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