

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12133 of 2023

Md. Ghulam Mustafa

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Respondent/s : Mr. Raj Kishore Roy, G.P.-18

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2024 Heard the parties.

2. The present petition has been preferred for the following reliefs:-

(i) for quashing the order dated 03.09.2021 passed by Hon'ble Chairman, the Bihar Land Tribunal, Patna in B.L.T. Case No. 159 of 2019, whereby and where under while disposing of three cases by a common order, it has been held that the order passed by Circle Officer, Araria, in mutation case No. 594 of 2013-14, order dated 08.02.2017 passed by D.C.L.R., Araria in Mutation Appeal no. 153 of 2014-15 and order dated 18.09.2018 passed by the Collector, Araria in Mutation Revision No. 12 of 2016-17 are not in accordance with law and have been accordingly



set aside and all the three petitions i.e. B.L.T. Case No. 157 of 2019, B.L.T. Case No. 158 of 2019 and B.L.T. Case No. 159 of 2019 have been allowed;

(ii) for further to quash the order dated 23.03.2022 passed in B. L. T. Misc. Case No. 7/2022 arising out of B.L.T. Case No. 159 of 2019, whereby the earlier order dated 03.09.2021 has been modified clarifying that all the three orders assailed in B.LT Case No. 159 of 2019 are not in accordance with law and the same hereby set aside;

(iii) for further to hold that the orders passed by the three authorities ie Circle Officer, Araria, in mutation case No. 475 of 2013-14, order dated 08.02.2017 passed by D.C.L.R., Araria in Mutation Appeal no. 154 of 2014-15 and order dated 18.09.2018 passed by the Collector, Araria in Mutation Revision No. 13 of 2016-17 are perfect and correct orders and did not require any interference by the B.L.T.;

(iv) for further direction upon the state respondents not to act upon the order impugned i.e.



*the order dated 03.09.2021 passed by Hon'ble
Chairman, the Bihar Land Tribunal, Patna in
B.L.T. Case No. 159 of 2019 during pendency of
this writ application.*

3. Issue notice to the respondent nos. 5 to 17 through both processes i.e. ordinary as well as registered cover with A/D for which requisites etc. must be filed within a period of three weeks failing which the application shall stand rejected without further reference to the Bench.

4. In case, the order passed is not complied and the matter accordingly stands dismissed, subsequently, the same be posted under the heading 'To be Mentioned' alongwith 'Tied Up' matters before the Bench on the 'TIED UP' day.

5. List this matter after six weeks.

(Rajiv Roy, J)

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