



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4541 of 2026

1. Binay Kumar Singh, son of Late Gupteshwar Singh, resident of Village- Kataha Janpur, PS- Barun, Distt- Aurangabad.
2. Kundan Kumar @ Kundan Kumar Singh, son of Late Raghubansh Singh, resident of Village- Kataha Janpur, PS- Barun, Distt- Aurangabad.
3. Deobansh Singh, son of Late Gupteshwar Singh, resident of Village- Kataha Janpur, PS- Barun, Distt- Aurangabad.
4. Vijay Singh, son of Late Gupteshwar Singh, resident of Village- Kataha Janpur, PS- Barun, Distt- Aurangabad.
5. Ramjee Singh, son of Late Ram Naresh Singh, resident of Village- Kataha Janpur, PS- Barun, Distt- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land and Revenue, Patna.
2. The District Magistrate, Aurangabad.
3. The Additional Collector, Aurangabad
4. The Deputy Collector Land Reforms, Aurangabad.
5. The Circle Officer, Barun Circle, PS- Barun, Distt- Aurangabad.
6. The Halka Karmchhari / Revenue Clerk, Barun Circle, PS-Barun, Distt. Aurangabad.
7. Manikraj Kunwar, wife of Late Tek Bahadur Singh, resident of village- Kataha Janpur, PS- Barun, Distt. -Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the State : Mr. Ramadhar Singh, GP-25

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-04-2026 This writ application has been filed for quashing

Memo No. 1585 dated 26.09.2025 issued by the Circle Officer,

Barun, Distt. Aurangabad.

2. Learned counsel for the petitioners submits that

Mutation Case No. 2180/R27/2019-20 was filed by the





petitioners which was allowed on 02.08.2020. Being aggrieved by the said order, private respondent i.e. respondent no. 7, namely, Manikraj Kunwar filed Mutation Appeal No. 18 of 2020 before the DCLR stating therein that the mutation order is bad for the reason that during the pendency of Second Appeal No. 153 of 2020, the Circle Officer has allowed the mutation case and the land in question is subject matter of the said second appeal which is pending before The Hon'ble High Court, is in the teeth of Section 6(12) of the Bihar Land Mutation Act, 2011.

3. After considering the aforesaid facts and provision of law, the appellate court disposed of mutation appeal on 15.01.2021 in view of provision contained under Section 6(12) of the Bihar Land Mutation Act, 2011 and directed Circle Officer not to interfere with the Jamabandi till the disposal of second appeal and maintained the earlier existing jamabandi.

4. Being aggrieved by the the said order, the petitioners moved before the Additional Collector, Aurangabad vide Mutation Revision Case No. 60 of 2021, The Additional Collector, Aurangabad also affirmed the order dated 15.01.2021 passed by the DCLR, Aurangabad. Accordingly, in view of the direction of the learned appellate court (DCLR, Aurangabad), the Circle Officer, Barun, Aurangabad modified the order vide





Memo No. 1585 dated 26.09.2025 and ordered that the Jamabandi stands earlier before passing of the order dated 02.08.2020 in Mutation Case No. 2180/R27/2019-20 shall remain in vogue.

5. Considering the aforesaid facts, submission of the learned counsel for the petitioners and materials on records, the mutation order passed during the pendency of Second Appeal No. 153 of 2020 and since the appeal is continuation of suit therefore, the mutation order dated 02.08.2020 is bad in law in view of Section 6(12) of the Bihar Land Mutation Act.

6. In this background, this Court does not find any irregularities in the impugned Memo No. 1585 dated 26.09.2025 issued by the Circle Officer, Barun, Aurangabad.

7. Accordingly, this writ application stands dismissed.

(Khatim Reza, J)

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