



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10781 of 2022

1. Bibi Aasma Khatoon Wife of Late Abu Umer Khan Resident of Village-Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.
2. Md. Aftab Khan Son of Late Abu Umer Khan Resident of Village-Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.
3. Md. Mozahid Khan Son of Late Abu Umer Khan Resident of Village-Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.
4. Md. Imran Khan Son of Late Abu Umer Khan Resident of Village-Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.
5. Md. Samir Khan Son of Late Abu Umer Khan Resident of Village-Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.
6. Md. Amir Khan Son of Late Abu Umer Khan Resident of Village-Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary Land Reforms, New Secretariat, Government of Bihar, Patna.
2. The Deputy Secretary, Revenue and Land Reform, Government of Bihar, Patna.
3. The Collector, Bhagalpur.
4. The Additional Collector, Bhagalpur.
5. The Deputy Collector Land Reforms, Bhagalpur.
6. The Circle Officer, Nath Nagar Bhagalpur. Respondent 1st set.
7. Bibi Sabina Khatoon Wife of Late Badruzama Khatoon R/o Village-Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10848 of 2022

1. Bibi Aasma Khatoon W/o Late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.
2. Md. Aftab Khan S/o Late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.
3. Md. Mozahid Khan S/o Late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.
4. Md. Imran Khan S/o Late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.
5. Md. Samir Khan S/o Late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.





6. Md. Amir Khan S/o Late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Land Reforms, New Secretariat, Government of Bihar, Patna.
2. The Deputy Secretary Revenue and Land Reform, Government of Bihar, Patna.
3. The Collector, Bhagalpur.
4. The Additional Collector, Bhagalpur.
5. The Deputy Collector Land Reforms, Bhagalpur.
6. The Circle Officer, Nath Nagar Bhagalpur.
7. Md. Awaiz Zama Khan S/o Late Badruzama Khatoon, R/o Village Sadaruddin Chak, P.S.- Habibpur, District- Bhagalpur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10924 of 2022

1. Bibi Aasma Khatoon W/o late Abu Umer Khan R/o Village Sadaruddin Chak, P.S. Habibpur, District Bhagalpur.
2. Md. Aftab Khan S/o late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S. Habibpur, District Bhagalpur.
3. Md. Mozahid Khan@Md.Mozahir Khan S/o late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S. Habibpur, District Bhagalpur.
4. Md. Imran Khan S/o late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S. Habibpur, District Bhagalpur.
5. Md Samir Khan S/o late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S. Habibpur, District Bhagalpur.
6. Md Amir Khan S/o late Abu Umer Khan, R/o Village Sadaruddin Chak, P.S. Habibpur, District Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Land Reforms, New Secretariat Government of Bihar, Patna.
2. The Deputy Secretary Revenue and Land Reform, Govt of Bihar, Patna.
3. The Collector Bhagalpur.
4. The Additional Collector Bhagalpur.
5. The Deputy Collector, Land Reforms, Bhagalpur.
6. The Circle Officer Nath Nagar Bhagalpur.
7. Md. Awaiz Zama Khan S/o Late Badruzama Khatoon, R/o Village





Sadaruddin Chak, P.S. Habibpur, District Bhagalpur.

... Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 10781 of 2022)

For the Petitioner/s : Mr.Chandra Kant, Advocate
Ms. Sristi Kumari, Advocate
Ms. Karnika, Advocate
Mr. Vaibhav Kr. Jha, Advocate
Mr. Sudhanshu Prakash, Advocate
For the State : Mr.Md. Khurshid Alam (Aag12)
Mr. Shailendra Kr. Dwivei, AC to AAG 12
For respondent no.7 : Mr. Rupak Kumar, Advocate

(In Civil Writ Jurisdiction Case No. 10848 of 2022)

For the Petitioner/s : Mr.Chandra Kant, Advocate
Ms. Sristi Kumari, Advocate
Ms. Karnika, Advocate
Mr. Vaibhav Kr. Jha, Advocate
Mr. Sudhanshu Prakash, Advocate
For the State : Mr.Md. Khurshid Alam (Aag12)
Mr. Shailendra Kr. Dwivei, AC to AAG 12

(In Civil Writ Jurisdiction Case No. 10924 of 2022)

For the Petitioner/s : Mr.Chandra Kant, Advocate
Ms. Sristi Kumari, Advocate
Ms. Karnika, Advocate
Mr. Vaibhav Kr. Jha, Advocate
Mr. Sudhanshu Prakash, Advocate
For the State : Mr.Md. Khurshid Alam (Aag12)
Mr. Shailendra Kr. Dwivei, AC to AAG 12

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 19-01-2026 Heard learned counsel appearing on behalf of the
petitioners and learned counsel for the respondents.

2. The petitioners in paragraph no. 1 of the respective
writ petitions have sought inter alia the following relief(s),
respectively which are reproduced hereinafter:-

*"I. For issuance of writ/writs, order/orders,
direction/direction to set aside the order dt 13/6/2022
passed by the Hon'ble member Judicial, the Bihar land
tribunal Patna in BLT case no 40/20120, whereby the
Hon'ble tribunal has set aside the order of dt 6/12/2019
passed by additional collector Bhagalpur in revision no
70/2019 and also has set aside the order dt 10/6/2019*





passed by DCLR Bhagalpur in mutation appeal no 121 / 2017-18 and has affirm the order dt 20/8/2017 passed by Anchal Adhikari Nath nagar in mutation case no 2718/2016-17.

II. For issuance of writ/writs order/orders to set aside the order to set aside the order dt 13/6/2022 passed by the Hon'ble member Judicial, the Bihar land tribunal Patna in BLT case no 40/20120, and affirm the order of dt 6/12/2019 passed by additional collector Bhagalpur in revision no 70/2019 and also affirm the order dt 10/6/2019 passed by DCLR Bhagalpur in mutation appeal no 121/2017-18 and further to set aside the order dt 20/8/2017 passed by Anchal Adhikari Nath nagar in mutation case no 2718/2016-17.

III. To grant any other appropriate reliefs, for which petitioner may deemed entitled under the fact and circumstance of the case."

"I. For issuance of writ/writs, order/orders, direction/direction to set aside the order dt 13/6/2022 passed by the Hon'ble member Judicial, the Bihar land tribunal Patna in BLT case no 50/20120, whereby the Hon'ble tribunal has set aside the order of dt 6/12/2019 passed by additional collector Bhagalpur in revision no 77/2019 and also has set aside the order dt 10/6/2019 passed by DCLR Bhagalpur in mutation appeal no 121 / 2019 and has affirm the order dt 14/6/2017 passed by Anchal Adhikari Nath nagar in mutation case no 792/2017-18.

II. For issuance of writ/writs order/orders to set aside the order to set aside the order dt 13/6/2022 passed by the Hon'ble member Judicial, the Bihar land tribunal Patna in BLT case no 50/20120, and affirm the order of dt 6/12/2019 passed by additional collector Bhagalpur in revision no 77/2019 and also affirm the order dt 10/6/2019 passed by DCLR Bhagalpur in mutation appeal no 121/2019 and further to set aside the order dt 14/6/2017 passed by Anchal Adhikari Nath nagar in mutation case no 792/2017-18.

III. To grant any other appropriate reliefs, for which petitioner may deemed entitled under the fact and circumstance of the case."

"I. For issuance of writ/writs, order/orders, direction/direction to set aside the order dt 13/6/2022 passed by the Hon'ble member Judicial, the Bihar land tribunal Patna in BLT case no 39/20120, whereby the Hon'ble tribunal has set aside the order of dt 6/12/2019 passed by additional collector Bhagalpur in revision no 71/2019 and also has set aside the order dt 10/6/2019 passed by DCLR Bhagalpur in mutation appeal no 145 / 20198 and has affirm the order dt 24/12/2018 passed by Anchal Adhikari Nath nagar in mutation case no 958/R27/2018-2019.





II. For issuance of writ/writs order/orders to set aside the order to set aside the order dt 13/6/2022 passed by the Hon'ble member Judicial, the Bihar land tribunal Patna in BLT case no 39/20120, and affirm the order of dt 6/12/2019 passed by additional collector Bhagalpur in revision no 71/2019 and also affirm the order dt 10/6/2019 passed by DCLR Bhagalpur in mutation appeal no 145/2019 and further to set aside the order dt 24/12/2018 passed by Anchal Adhikari Nath nagar in mutation case no 958R/2018-2019.

III. To grant any other appropriate reliefs, for which petitioner may deemed entitled under the fact and circumstance of the case."

3. It is admitted fact that the parties are close relatives, and it has been submitted by private respondent no. 7, Md. Awaiz Zama Khan, who is present in Court, that the land in question is valued at approximately rupees five crore, and the same has been disputed by the petitioners, who allege that respondent no. 7 seeks to dispossess them by executing a forged sale deed without disclosing the particulars of the share he actually claims.

4. Having regard to the reliefs as prayed for in the writ petitions and the nature of dispute, the parties may proceed to mediation in terms of the Mediation Act, 2023, and in light of the advancements made as on date under the Mediation 2.0 framework, which aims to reduce the court backlogs and provide quicker and cheaper justice, ensuring globally aligned approach to Alternative Dispute Resolution (ADR).





5. The learned Principal District Judge, Bhagalpur is directed to go for pre-litigation mediation between the parties by issuing notice to all those, who are interested in the matter in respect of the land in question.

6. So far as present writ petitions are concerned, I don't find any illegality in the order passed by the Bihar Land Tribunal, Patna, taking into consideration the admitted fact that the petitioners are still in the possession of the land and they have not been disturbed from it, though it has been denied in the court by respondent no.7. The determination of title can only be adjudicated by a competent civil court having jurisdiction. To that extent also, I don't find any illegality in the order of the Tribunal.

7. By way of caution, it is made clear that it has come to the knowledge of this Court that the property in Bhagalpur has gained its abrupt market value in recent times and the Circle Officers and the Revenue Authorities taking advantage of the same, on the basis of forged sale deed, pass illegal and arbitrary order. To check the alleged act of the revenue authorities at circle level, the District Magistrate, Bhagalpur is directed to collect information from all the concerned circles and Circle Officers and verify from the revenue records all lands in respect





of which mutation is sought on the basis of sale deeds, so as to prevent such litigation arising out of the creation of documents by any party, who in connivance with the Circle Officer create evidence.

8. In case the parties indulge in any criminal act and file any criminal cases against each-other to grab the property which is subject matter of the present writ petitions, the District Magistrate and the Superintendent of police in that case, must take immediate action against the concerned party/parties, who want to alienate the property before a conscious decision is arrived between the parties in pre-litigation mediation.

9. The writ petitions, accordingly, stand disposed of.

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

(Purnendu Singh, J)

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