

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21254 of 2011

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Parmanand Singh, S/O Late Nathan Prasad Singh, Resident of Village Fulaut, P.S. Chousa, District Madhepura.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Deputy Collector, Land Reforms, Udakishunganj, District Madhepura.
3. Anjay Yadav S/O Anirudh Yadav Resident of Village Fulaut, P.O. Fulaut, P.S. Chousa, District Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Hare Krishna Kumar
For the Respondent nos.1&2	:	Mr. Sunil Kr. Mandal, SC-24 Mr.Bipin Kumar, AC to SC-24
For the Respondent no.3	:	Mr.Rajeev Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 11-09-2015 Heard the parties.

The petitioner is aggrieved by the order dated 27.07.2011 passed in Bihar Land Dispute Resolution Case No.54 of 2010-11 by the respondent D.C.L.R., Udakishunganj, as contained in Annexure-3 to the writ petition, whereby the aforesaid petition filed on behalf of the petitioner under the provisions of The Bihar Land Disputes Resolution Act, 2009 (in short 'Act, 2009') has been rejected.

In the considered opinion of this Court against the order impugned, the petitioner has an alternative and efficacious remedy of appeal before the Divisional Commissioner in terms of Section 14 of the Act, 2009.

In above view of the matter, the learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present writ petition with a liberty to approach the appellate

authority for grant of appropriate relief(s) with respect to the lands under dispute.

Permission is accorded.

The writ petition stands dismissed as withdrawn with the liberty aforesaid.

If such an appeal is filed on behalf of the petitioner within a period of three weeks from today with a certified copy of the present order before the Divisional Commissioner, and, if it is found that it has become barred by limitation and, if any petition is filed on behalf of the petitioner for condonation of such delay, then the learned appellate authority shall take into consideration that on a bonafide legal advice the present writ petition was filed on 30.11.2011 and that remained pending before this Court till date.

(Birendra Prasad Verma, J)

Arvind/-

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