

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17944 of 2011

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Kartik Yadav, S/O Late Tilo Yadav, R/O Mohalla - Baluahi, At+ P.O. -
Khagaria, P.S. - Khagaria, Distt. - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Collector, Khagaria
3. The Additional Collector, Khagaria
4. The Deputy Collector Land Reforms, Khagaria
5. The Circle Officer, Khagaria
6. Sudhir Singh, Karmchari Khagaria Block, Distt. - Khagaria
7. Janardan Singh, S/O Late Bhagwat Singh, R/O Village - Bhuna, P.S.-
Sangrampur, Distt. - Munger

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kr. Yadav
For the Respondents : None.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

6 22-12-2015 Heard learned counsel appearing on behalf of the petitioner. None appears on behalf of the respondents, though the names of the learned counsel appearing on their behalf are printed in the daily cause list.

The petitioner is aggrieved by the order dated 05.01.2010 passed in Jamabandi correction case No. 3 of 2007-08 by the respondent DCLR, Khagaria, as contained in Annexure '10', whereby the aforesaid petition filed on behalf of Ram Pukar Singh has been disposed of with certain observations and directions made therein.

In the present writ petition neither the aforesaid Ram Pukar Singh nor his heirs and legal representatives have been impleaded as party respondents. The present writ petition suffers from non-joinder of necessary parties and can be dismissed on that ground alone. Furthermore, the impugned order dated 05.01.2010

is appealable and revisable under the provisions of the law.

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 in question claimed by him as also with respect to the order impugned.

Permission is accorded.

The writ petition stands disposed of as withdrawn with the liberty aforesaid.

If an appropriate petition is filed on behalf of the petitioner before the appellate authority after impleading all the necessary parties within a period of one month from today with a certified copy of the present order and if it is found to have 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 bona fide legal advice, the present writ petition was filed on 12.10.2011 before this Court and that remained pending till date.

(Birendra Prasad Verma, J)

B.Tiwary / ajaypd./-

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