

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6702 of 2013

With
Interlocutory Application No. 5673 of 2013

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Sanjay Kumar Singh Son of Sheopujan Singh, Resident of Village- Kandap,
Post Office- Kandap Via Poonpooon, Police Station- Gourichak, District
Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat Building, Patna- 800015
2. The Divisional Commissioner, Patna
3. The Collector, Patna
4. The Deputy Collector, Land Reforms, Patna Sadar, Patna
5. The Circle Officer, Sampatchak Block, District Patna
6. The Circle Inspector, Sampatchak, District- Patna
7. Suryamani Singh Son of Madhusudan Singh, Resident of Village- Kandap, Post Office- Kandap, Via- Poonpooon, Police Station- Gourichak, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Verma
Mr. Bijay Bihari Sinha

For the Respondent No.1 to 6 : Mr. Kundan Bahadur Singh, SC-22
Mr. Madanjeet Kumar, AC to SC-22

For the Respondent No. 7 : Mr. Digvijay Kumar Ojha
Mr. Kamal Kishore Sinha

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

8 04-11-2015 After some argument, learned counsel appearing on behalf of the petitioner, in presence of the learned counsel appearing on behalf of the respondents, in view of subsequent developments and final order dated 05.07.2013 having been passed by the Additional Collector, Patna, which has been brought on record as Annexure-3 to the I.A. No. 5673 of 2013, seeks permission to withdraw the present writ petition with a liberty to assail the validity and correctness of the aforesaid final order before the appellate authority in view of the provisions contained in Section 9(6)(a) of The Bihar Land Mutation Act, 2011.

Permission is accorded.

The writ petition as also I.A. No. 5673 of 2013 stand disposed of as withdrawn with the liberty aforesaid.

It is clarified that the parties shall be at liberty to raise all the issues of facts and law, which may be available to them, before the appellate authority with respect to the lands under dispute as also with respect to the order impugned.

If such an appeal is filed on behalf of the petitioner within a period of four weeks 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 appellate authority shall take into consideration that on a bonafide legal advice, the present writ petition was filed before this Court on 01.04.2013 and that remained pending till date.

(Birendra Prasad Verma, J)

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