

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1659 of 2015

In
Civil Writ Jurisdiction Case No. 2218 of 2013

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1. Shyamanand Mandal
2. Bhageshwar Mandal, Both Sons of Late Moti Mandal,
3. Ambika Devi, Wife of Kapildeo Mandal, all resident of village –
Harmudi, Police Station - Banmankhi, District - Purnea.
..... Petitioner/s

Versus

1. The State of Bihar
2. The Divisional Commissioner, Purnea.
3. The Land Reform Deputy Collector, Bankankhi, District - Purnea.
4. Saryug Mandal, Son of Late Sahdeo Mandal, Resident of Village –
Harmurhi, Police Station - Banmankhi, District -Purnea.
..... Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Najeeb Ahmad
For the Opp. Party No.1 to 3/s : Mr. Sanghamitra Ghosh, AC to AAG-8

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD
VERMA**
ORAL ORDER

3 02-12-2015

Re.: M.J.C. No. 1659 of 2015

After having heard the parties and taking into consideration the reasons disclosed in the present M.J.C. application, the prayer for restoration of C.W.J.C. No. 2218 of 2013, which stood dismissed for want of prosecution by order dated 26.06.2015, is allowed.

Accordingly, C.W.J.C. No. 2218 of 2013 is restored to its original file.

The present M.J.C. application stands finally disposed of.

Re.: Civil Writ Jurisdiction Case No. 2218 of 2013

With the consent of the parties, main writ petition has been taken up for consideration on merits.

After some argument, learned counsel appearing on

behalf of the petitioners seeks permission to withdraw the present writ petition with a liberty to approach the learned Bihar Land Tribunal, Patna for grant of appropriate relief(s) with respect to the lands under dispute, as also with respect to the order impugned in the present proceeding.

Permission is accorded.

The writ petition stands disposed of as withdrawn with the liberty aforesaid.

The parties shall be at liberty to raise all the issues of facts and law before the learned Bihar Land Tribunal, Patna, which may be available to them.

If an appropriate petition is filed on behalf of the petitioners before the learned Bihar Land Tribunal, Patna within a period of six 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 petitioners, for condonation of such delay, then the learned Bihar Land Tribunal, Patna shall take into consideration that on a bonafide legal advice, the present writ petition was filed before this Court on 31.01.2013 and that remained pending till date.

(Birendra Prasad Verma, J)

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