

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5924 of 2012**

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Jagdish Prasad son of Prasadi Mahto, resident of Village Visanpur, P.S. Nagarnausa, District-Nalanda

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Land Reforms Deputy Collector, Hilsa, Distt. Nalanda
3. The Sub-Divisional Magistrate, Hilsa, Distt. Nalanda
4. The Circle Officer, Chandai Block Chandi, P.S. Chandi Nalanda
5. The Circle Officer, Nagarnausa, Block Nagar Nausa, P.S. Nagar, Distt. Nalanda
6. Lalita Devi W/O Narayan Singh R/O Chtarbbigha P.S. Chandi Distt. Nalanda

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate

For the Respondent Nos. 1 to 5 : Mr. Lalan Kumar, AC to GP 23

For the Respondent No.6 : Mr. Jagannath Singh, Advocate

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

3      24-09-2015

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Heard the parties.

The petitioner is aggrieved by order dated 09.12.2011 (Annexure-1) passed in Case No. 29 of 2011-2012 by the respondent DCLR, Hilsa (Nalanda), whereby the petition filed on behalf of the petitioner under the provisions of The Bihar Land Disputes Resolution Act, 2009 ( in short, “ the Act, 2009”) has been rejected.

Indisputably, against the order impugned, the petitioner has an alternative and efficacious remedy under Section 14 of the Act, 2009 before the appellate authority, but the petitioner has not approached that authority and has directly filed the present writ petition before this Court.

At this stage, 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The writ petition stands dismissed as withdrawn with the liberty aforesaid.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 and if it is found to have become barred by limitation and if any petition is filed 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 26.03.2012 and that remained pending before this Court till date.

**(Birendra Prasad Verma, J)**

Tahir/-

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