

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18369 of 2011

With
Interlocutory Application No. 5030 of 2015

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Smt.Buchni Devi wife of Sri Danalal Sah, resident of Village- Mirchai,
Bari Jhangar Toli, P.S. Janki Nagar, District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Home, Govt. of Bihar
2. The Collector of Purnea
3. The Deputy Collector of Land Reforms, Banmankhi, Purnea
4. The Sub divisional Officer, Banmankhi, Purnea
5. Mahendra Sah son of Late Bindeshwari Sah, resident of village-Jhangar Toli, P.O.- Mirchai Bari, P.S.- Janki Nagar, Ditt- Purnea

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Jha, Advocate
Mr.Subhash Patel, Advocate
For the Respondent Nos. 1 to 4: Mr. Anshuman Singh, GP 24
For the Respondent No.5 : Mr.Uday Chand Prasad, Advocate
Mr.Manoj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 04-09-2015 The petitioner is aggrieved by order dated 24.12.2010 (Annexure-11) passed in Revision Case No. 134 of 2008 by the respondent District Collector, Purnea in exercise of power under Section 21 of the Bihar Privileged persons Homestead Tenancy Act, 1947.

In the considered opinion of this Court, the petitioner has an alternative and efficacious remedy before the learned Bihar Land Tribunal, Patna in view of the provisions contained in Section 9 of the Bihar Land Tribunal Act, 2009.

In above view of the matter, learned counsel appearing on behalf of the petitioner 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 land under dispute.

Permission is accorded.

The writ petition stands disposed of as withdrawn with the liberty aforesaid.

I.A.No. 5030 of 2015 stands accordingly disposed of.

If an appropriate petition is filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order before the learned Bihar Land Tribunal, Patna 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, the learned Bihar Land Tribunal, Patna shall take into consideration that on a bona fide legal advice the present writ petition was filed on 17.10.2011 and that remained pending before this Court till date.

(Birendra Prasad Verma, J)

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