

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.729 of 2012

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1. Surendra Prasad Singh Son of Late Ramswarup Singh, Resident of Village - Khaira, P.O.- Lakhana, P.S.- Gaurichak, District - Patna
 2. Anil Kumar Singh Son of Late Ramswarup Singh, Resident of Village - Khaira, P.O.- Lakhana, P.S.- Gaurichak, District - Patna
 3. Subhash Chandra Singh Son of Late Ramswarup Singh, Resident of Village - Khaira, P.O.- Lakhana, P.S.- Gaurichak, District - Patna
- Petitioner/s

Versus

1. The State of Bihar , represented through the Collector, District - Patna
 2. The Additional Collector, Collectorate, Patna
 3. Deputy Collector Land Reform, Masaurhi, District - Patna
 4. Circle Officer, Punpun Block, District - Patna
 5. Saroj Sinha Wife of Sri Hardeo Narain Sinha Resident of Village - Khaira, P.O.- Lakhana, P.S.- Gaurichak (Punpun). District Patna, At Present Resident of Mohalla - Khaira Kothi, Shahganj, Nahar Road, P.O.- Mahendru, District - Patna - 800006
 6. Saryug Shurma Singh Son of Late Bhagwan Singh, Resident of Village - Kharia, P.O.- Lakhana, P.S.- Gaurichak (Punpun), District - Patna
- Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Dilip Kumar
For the Respondent No.1 to 4 : Mr. Harish Kumar
For the Respondent No. 5 & 6 : Mr. Rakesh Kumar
Mr. Kumar Alok

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 10-09-2015 Heard the parties.

The petitioners are aggrieved by the order dated 25.02.2010 passed in Mutation Revision No. 2 of 2005 by the respondent Additional Collector, Patna, as contained in Annexure-4, whereby the aforesaid mutation revision case filed on behalf of the respondent no. 5 and 6 has been allowed after setting aside the order dated 27.10.2004 passed by the respondent D.C.L.R., Masaurhi, and the matter has been remitted back to him for deciding the case of the parties afresh after giving an opportunity of hearing to them.

Since by the impugned order the matter has been

remitted back to the respondent D.C.L.R., Masaurhi with a direction to decide the case of the parties afresh after giving an opportunity of hearing to them as also after making local inspection, this Court does not feel persuaded to interfere with the impugned order.

At this stage, learned counsel appearing on behalf of the petitioners, in presence of the learned counsel appearing on behalf of the respondents, seeks permission to withdraw the present writ petition with a liberty to raise all the issues of facts and law with respect to the lands in question, before the respondent D.C.L.R. Masaurhi, Distt.- Patna.

Permission is accorded.

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

This goes without saying that all the parties shall be at liberty to raise all the issues of facts and law, which may be available to them, with respect to the lands under dispute, before the respondent D.C.L.R., Masaurhi.

(Birendra Prasad Verma, J)

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