

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8082 of 2012

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1. Mostt. Malti Devi (Kuwar) Son of Satya Narayan Gond, Resident of Mohalla-Mubarakganj, Sasaram, P.S. Sasaram, District Rohtas
 2. Sunil Kumar Gond Son Of Late Satya Narayan Gond, Resident of Mohalla-Mubarakganj, Sasaram, P.S. Sasaram, District Rohtas
 3. Anil Kumar Gond Son Of Satya Narayan Gond, Resident of Mohalla-Mubarakganj, Sasaram, P.S. Sasaram, District Rohtas
 4. Amit Kumar Gond Son Of Late Satya Narayan Gond, Resident of Mohalla-Mubarakganj, Sasaram, P.S. Sasaram, District Rohtas
- Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Rohtas, Sasaram

.... Respondent/s

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Appearance :

For the Petitioner/s : Smt. Rekha Prasad
Ms. Punam Kumar Jha
For the Respondent/s : Mr. S. Rahman, AC to SC-7

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 22-09-2015 Heard the parties.

The petitioners are aggrieved by the order dated 14.10.2011 passed in Case No. 9 of 2007 by the respondent District Collector, Rohtas, Sasaram, as contained in Annexure-7 to the writ petition, whereby the petition filed on behalf of the petitioners under Section 49G of the B.T. Act, 1885 has been rejected.

Indisputably, the order impugned is appealable/ revisable before the prescribed authority in view of the provisions contained in Section 49 O of the B.T. Act, 1885.

In above view of the matter, learned counsel appearing on behalf of the petitioners 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The writ petition stands disposed of as withdrawn with the liberty aforesaid.

If such an appeal is filed on behalf of the petitioners 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 petitioners for condonation of such delay, then the learned prescribed appellate authority shall take into consideration that on a bonafide legal advice, the present writ petition was filed before this Court on 23.04.2012 and that remained pending till date.

(Birendra Prasad Verma, J)

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