

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2765 of 2015

In

Civil Writ Jurisdiction Case No. 15038 of 2012

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1. Dr. Ravindra Prasad, son of Late Ramchandar Prasad, resident of West Janta Path, Chandmari Road, Kankarbag, P.S. - Kankarbag, District - Patna.
 2. Jitendra Prasad, son of Late Ramchandar Prasad, resident of West Janta Path, Chandmari Road, Kankarbag, P.S. - Kankarbag, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Patna.
2. Deputy Collector Land Reform, Patna.
3. Harnandan Prasad, son of Late Ramchandar Prasad, resident of Mohalla - Janta Path, P.S. - Kankarbag, District - Patna.
4. Hardeo Prasad, son of Late Ramchandar Prasad, resident of Janta Path, Mohalla - Janta Path, P.S. - Kankarbag, District - Patna.
5. Surendra Prasad, son of Late Ramchandar Prasad, resident of Mohalla - Janta Path, P.S. - Kankarbag, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ghosarvey
For the Opposite Party nos.1&2 : Mr. Sushant Praveer, AC to SC-27

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 14-10-2015

MJC No.2765 of 2015

After having heard the learned counsel for the petitioners and learned State counsel appearing on behalf of the official respondents and for the reasons disclosed in the present MJC application, the prayer for restoration of CWJC No.15038 of 2012, which stood dismissed for want of prosecution by an order dated 01.10.2015, is allowed. CWJC No.15038 of 2012 is hereby restored to its original file.

The present MJC application stands finally disposed of.

CWJC No.15038 of 2012

With the consent of the parties, the present writ

petition has been taken up for consideration on merit.

However, 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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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, which may be available to them, before the learned Bihar Land Tribunal, Patna.

If an appropriate petition is filed on behalf of the petitioners within a period of one month 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 on 17.08.2012 and that remained pending before this Court till date.

(Birendra Prasad Verma, J)

Arvind/-

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