

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19167 of 2013

With

Interlocutory Application No. 5315 of 2014

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Chandrma Singh son of Sitaram Singh Gram- Tenduni , Thana -
Bikramganj, Zila – Rohtas Petitioner/s

Versus

1. The State of Bihar
2. Ayukt Patna Pramandal, Patna
3. Bhumi Sudhar Up-Samaharta (Bikramganj) Rohtas
4. Anchal Adhikari Bikramganj
5. Suryadeo Singh son of Sita Ram Singh Gram- Tenduni , Thana -
Bikramganj, Zila – Rohtas Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh No-10, Advocate

For the Respondent Nos.1 to 4: Mr. Sunil Kr. Mandal, SC 24

Mr.Bipin Kumar, AC to SC 24

For the Respondent No.5 : Mr.Subash Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

6 10-12-2015

Re: I.A.No. 5315 of 2014

The instant Interlocutory Application has been filed on behalf of the heirs and legal representatives of sole petitioner Chandrma Singh stating therein that the sole petitioner died on 18.05.2014 leaving behind the applicants as his heirs and legal representatives, whose full details have been given in the cause title of the present Interlocutory Application.

In the facts of the case, the prayer for substitution is allowed. Let the name of deceased sole petitioner Chandrma Singh be expunged from the array of the parties of the main writ petition and be substituted by his heirs and legal representatives, on whose behalf the present Interlocutory Application has been filed by filing their duly executed vakalatnama.

Necessary correction in the cause title of the main writ petition shall be carried out by the office within a period of two weeks from today.

The instant Interlocutory Application stands finally

disposed of.

Re: CWJC No. 19167 of 2013

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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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

If an appropriate petition is filed on behalf of the petitioners before the learned Bihar Land Tribunal, Patna within a period of two months 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 bona fide legal advice, the present writ petition was filed before this Court on 20.09.2013 and that remained pending till date.

(Birendra Prasad Verma, J)

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