

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19461 of 2013

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Sone Lal Prasad, S/O Late Gonu Raut, Resident Of Village- Raiyyam West,
P.S.- Bhairav Asthan, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Land Reforms Deputy Collector, Jhanjharpur, District- Madhubani
3. Ram Avtar Raut S/O Late Ram Narayan Raut Resident Of Village-
Raiyyam West, P.S.- Bhairav Asthan, District- Madhubani
4. Ram Sevak Prasad Son Of Sone Lal Prasad, Resident Of Village-
Raiyyam West, P.S.- Bhairav Asthan, District- Madhubani
5. Ram Lakhan Prasad Son Of Sone Lal Prasad Resident Of Village-
Raiyyam West, P.S.- Bhairav Asthan, District- Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary
For the Respondent nos.1&2: Mr. Patanjali Rishi, AC to AAG-10

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 14-09-2015 Heard learned counsel for the petitioner as also
learned AC to AAG-10 appearing on behalf of the respondent
nos.1 and 2. None appears on behalf of the respondent nos.3 to 5,
though the name of learned counsel is printed in the daily cause
list.

The petitioner is aggrieved by the order dated
23.01.2013 passed in Land Dispute Resolution Case No.21 of
2012 by the respondent D.C.L.R., Jhanjharpur, as contained in
Annexure-2 to the writ petition, whereby the aforesaid case filed
on behalf of the respondent no.3 has been allowed.

Learned counsel appearing on behalf of the petitioner
has attempted to assail the impugned order on merits, but he has
not been able to dislodge the submission of learned State counsel
that against the impugned order an appeal is provided under
Section 14 of the Bihar Land Disputes Resolution Act, 2009.

At this stage, learned counsel appearing on behalf of the petitioner 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 in question.

Permission is accorded.

The writ petition stands dismissed as withdrawn with the liberty aforesaid.

If such an appeal is filed on behalf of the petitioner within a period of three weeks from today with a certified copy of the present order and, if it is found that the appeal has become barred by limitation and, if any petition is filed on behalf of the petitioner for condonation of such delay, then the appellate authority shall take into consideration that on a bonafide legal advice the present writ petition was filed on 23.09.2013 and that remained pending before this Court till date.

(Birendra Prasad Verma, J)

Arvind/-

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