

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3880 of 2016

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Jai Prakash Lal son of Late Mahendra Prasad Lal, resident of village + P.O.
+ P.S.- Azamganj, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar
2. The Divisional Commissioner, Purnea
3. The District Magistrate, Katihar
4. The Deputy Collector Land Reforms, Barsoi, District- Katihar
5. Jai Deo Prasad Lal son of Late Kedar Nath Palit
6. Uma Devi wife of Jai Deo Prasad Lal
7. Nagendra Azad son of Late Kamla Prasad Lal
8. Sunit Sinha son of Nagendra Azad
9. Kapileshwar Prasad Lal son of Late Kamakhya Prasad Lal
10. Raj Kumar Lal, son of Kapileshwar Prasad Lal
11. Raja Thakur Lal son of Jai Prakash Lal, all (5 to 11) are resident of
village + P.O. & P.S.- Azamganj, District- Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dronacharya, Advocate

For the Respondent Nos. 1 to 4 : Mr. Raju Giri, GP 30

Mr.Nikhil Kr.Agrawal, AC to GP 30

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 16-05-2016

Heard.

The petitioner is aggrieved by order dated 25.08.2014 passed in Case No. 213 of 2013-14 by the respondent DCLR, Barsoi, as contained in Annexure-1, whereby in exercise of his powers under the provisions of The Bihar Land Disputes Resolution Act, 2009 (in short, “ the Act, 2009”) he has allowed the aforesaid case filed on behalf of the private respondents.

Indisputably, the impugned order as contained in Annexure-1 is appealable under Section 14 of the Act, 2009.

In above view of the matter, the learned counsel appearing on behalf of the petitioner, after some arguments, seeks permission to withdraw the present writ petition with a liberty to approach the prescribed appellate authority for grant of

appropriate relief (s) with respect to the lands under dispute as also with respect to the order impugned.

Permission is accorded.

The writ petition stands disposed of as withdrawn with the liberty aforesaid.

If an appropriate appeal is filed on behalf of the petitioner before the prescribed appellate authority within a period of three 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 petitioner for condonation of such delay, then the prescribed appellate authority shall take into consideration that on a bona fide legal advice, the present writ petition was filed before this Court on 24.02.2016 and that remained pending till date.

(Birendra Prasad Verma, J)

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