

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16514 of 2014

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1. Raj Kumar Vidyarthi Son of Late Ram Swaroop Poddar
 2. Ajay Kumar Poddar Son of Tej Narayan Poddar, Both are the resident of village/ Mohalla - Nagar Palika Road, Ward No. 11, Police Station - Khagaria, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Deptt. of Revenue and Lands reforms, Govt. of Bihar, Patna.
2. The District Magistrate, Khagaria.
3. The Addl. Collector, Khagaria.
4. The Deputy Collector lands reforms, Khagaria.
5. The District Programme Officer, Khagaria.
6. The Circle Officer, Khagaria, District- Khagaria.
7. Ram Bailash Chaudhary Son of Late Upendra Chaudhury, resident of village - Hajipur, ward no. 10, P.S. & District- Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.
Mr. Swapnil Kumar Singh, Adv.
For the Respondent No.7 : Mr. Dronacharya, Adv.
Mr. Arghesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 03-10-2016 After some argument, the learned counsel appearing on behalf of the petitioners, in presence of the learned counsel appearing on behalf of the respondent no. 7, seeks permission to withdraw the present writ petition with a liberty to avail of the remedy of appeal available to them in terms of Section 9(6) (a) of The Bihar Land Mutation Act, 2011.

Permission is accorded.

The writ petition stands dismissed as withdrawn with the liberty aforesaid.

If an appropriate appeal is filed on behalf of the petitioners within a period of four weeks from today, after impleading all the necessary parties including the respondent no.

7, besides others, if any, 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 on 18.9.2014 and that remained pending till date before this Court.

It goes without saying that the parties shall be at liberty to raise all the issues of facts and law, which may be available to them before the prescribed appellate authority.

(Birendra Prasad Verma, J)

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