

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1252 of 2010

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1. Rajendra Khirhar S/O Late Jimdar Khirhar R/O Vill Bhagwatipur Amghatta, P.S. Sitamarhi, Distt-Sitamarhi (**Expunged vide order dated 14.02.2014 and substituted by his following heirs and legal representatives**)

1(a) Raj Kumari Devi Widow of Late Rajendra Khirhar

1(b) Vijay Kumar

1(c) Lal Babu Khirhar,

both sons of Late Rajendra Khirhar

1(d) Ritu Devi daughter of Late Rajendra Khirhar and wife of Shardha Nand, resident of village Talkharpur, Dumraon, P.S. Dumraon, District Sitamarhi

1(e) Guddi Kumari daughter of Late Rajendra Khirhar wife of Guddu Kumar, resident of village Bathnaha, P.S. Bathnaha, District Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

2. The Commissioner Tirhut Division, Muzaffarpur

3. The Collector Sitamarhi

4. The Additional Collector Sitamarhi

5. Deputy Collector Land Reforms Sitamarhi

6. Smt. Punam Devi W/O Sri Ashok Kumar Prasad R/O Adarsh Chowk, Ward No.5, Sitamarhi Court, P.S. Dumra, Distt-Sitamarhi

7. Raghunath Bhagat S/O Late Bilash Bhagat R/O Vill Talichpur Dumra, P.S. & Distt-Sitamarhi

8. Mohan Kumar son of Sri Raghunath Prasad, resident of Village Shanti Nagar Talkhapur Dumra, P.S. & District Sitamarhi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tara Nath Jha, Advocate

For the Respondent Nos. 1 to 5 : Mr. Pratik Kumar Sinha, AC to GA XII

For the Respondent Nos. 6 & 8 : Mr. K.K. Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

9 21-07-2016

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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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 six 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 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 22.01.2010 and that remained pending till date.

(Birendra Prasad Verma, J)

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