

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22868 of 2011

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1. Bhubneshwar Yadav S/O Late Jago Mahto, Resident Of Village-Ghutiwe, P.O. Simultallah, P.S. Chandramandih, District-Jamui
 2. Sheo Narayan Yadav S/O Late Jago Mahto, Resident Of Village-Ghutiwe, P.O. Simultallah, P.S. Chandramandih, District-Jamui
 3. Hari Yadav Son Of Late Jharkhandi Yadav, Resident Of Village-Ghutiwe, P.O. Simultallah, P.S. Chandramandih, District-Jamui
 4. Lala Yadav Son Of Late Jharkhandi Yadav, Resident Of Village-Ghutiwe, P.O. Simultallah, P.S. Chandramandih, District-Jamui
 5. Bachchu Yadav S/O Late Thakuri Mahto Resident Of Village-Ghutiwe, P.O. Simultallah, P.S. Chandramandih, District-Jamui

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Munger Division, District Munger
2. The District Magistrate, Jamui, District-Jamui
3. The Deputy Collector Land Reforms, Jamui
4. The Circle Officer, Chakai, District-Jamui
5. Rajendra Yadav S/O Late Gagni Yadav, Resident Of Village-Ghutiwe, P.O. Simultallah, P.S. Chandramandih, District-Jamui
6. Ramdhari Yadav Son Of Late Titu Yadav, Resident Of Village-Ghutiwe, P.O. Simultallah, P.S. Chandramandih, District-Jamui

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar Jha

For the Respondent No. 1 to 4 : Mr. Sanjay Kr, GA-5

For the Respondent No. 5: Mr. Pankaj Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 18-04-2016 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The writ petition stands disposed of as withdrawn with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 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 bonafide legal advice, the present writ petition was filed before this Court on 20.12.2011 and that remained pending till date.

It is clarified that if any of the parties have passed away during the pendency of the present writ petition, then his/ her heirs and legal representatives shall be impleaded as party respondent(s) in the petition filed before the learned Bihar Land Tribunal, Patna and it shall be construed that such deceased person(s) has been substituted by the order of this Court.

(Birendra Prasad Verma, J)

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