

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8576 of 2014

=====

Upendra Yadav, Son of Late Raudi Yadav, resident of Village-
Mahadevpatti, P.S- Harlakhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Madhubani.
2. The Deputy Collector, Land Reforms, Benipatti, Madhubani.
3. The Circle Officer, Harlakhi, Madhubani.
4. Ram Swaroop Ram, Son of Late Jhapash Ram
5. Ram Sharan Ram, Son of Late Jhapash Ram
6. Vishundeo Ram, Son of Late Janak Ram
All resident of Village- Mahadevpatti, P.S- Harlakhi, District- Madhubani.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Adv.
For the Respondent nos.1to3 : Mr. Sanjay Prasad, AC to AAG-4

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 16-08-2016 The petitioner is aggrieved by the order dated 27.01.2014 passed in Case No.200 of 2013 by the respondent D.C.L.R., Benipatti, as contained in Annexure-3 to the writ petition, whereby the aforesaid case filed on behalf of the petitioner under Section 4 of The Bihar Land Disputes Resolution Act, 2009 (in short 'Act, 2009') has been rejected.

After some argument, the learned counsel appearing on behalf of the petitioner has fairly conceded that the order impugned is appealable before the Divisional Commissioner in view of the provisions contained in Section 14 of the Act, 2009.

In above view of the matter, the learned counsel appearing on behalf of the petitioner, in presence of the learned State counsel, 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

in question as also 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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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 within a period of four 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 bonafide legal advice the present writ petition was filed on 06.05.2014 and that remained pending before this Court till date.

(Birendra Prasad Verma, J)

Arvind/-

U			
---	--	--	--