

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9362 of 2013

With
Interlocutory Application No.2840 of 2014

1. Surendra Singh

2. Birendra Singh

3. Harendra Singh

4. Devendra Singh

All Sons Of Late Keshri Singh, Resident Of Village - Parari, P.O.
Churamandpur, P.S. Industrial Area Buxar, District - Buxar

.... Petitioner/s

Versus

1. The State Of Bihar

2. The District Magistrate, Buxar

3. The Deputy Collector, Land Reforms, Buxar

4. The Circle Officer, Buxar

5. The Circle Inspector, Buxar Block, Buxar

6. Ranjeet Bahadur Singh

7. Rabindra Bahadur Singh

8. Sheela Devi

9. Asha Devi

10. Rekha Devi

11. Sandhya Devi

All above 6 to 11 sons and daughter Of Late Mahendra Bahadur Singh,
Resident Of Village - Parari, P.S. Industrial Area Buxar, District - Buxar

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Adv.
Mr.Akash Keshav, Adv.

For the Respondent nos.1to5 : Mr. Naman Nayak, AC to AAG-10

For the Respondent nos.6&7 : Mr.Ashwini Kumar Rai, Adv.
Mr.Baidya nath Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 05-09-2016

Re:I.A.No.2840 of 2014

The instant Interlocutory Application has been filed on behalf of the petitioners stating therein that during the pendency of the present writ petition, petitioner no.2 namely Birendra Singh died on 12.02.2014 leaving behind his heirs and legal representatives, fully detailed in paragraph 4 of the instant Interlocutory Application. Therefore, a prayer for substitution has

been made in the present Interlocutory Application.

The learned counsel appearing on behalf of the respondents have raised no objection to the aforesaid prayer for substitution made by the learned counsel for the petitioners.

In above view of the matter, the prayer for substitution is allowed. Let the name of the deceased petitioner no.2 be deleted from the array of the parties and be substituted by his heirs and legal representatives, fully detailed in paragraph 4 of the instant Interlocutory Application, who all are major and have entered appearance through their learned counsel by duly executed vakalatnama.

The instant Interlocutory Application stands finally disposed of with the observations and directions made above.

Re: CWJC No.9362 of 2013

With the consent of the parties, the main writ petition has been taken up for consideration.

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, which may be available to them, before the learned Bihar Land Tribunal, Patna.

If an appropriate petition is filed on behalf of the petitioners within a period of eight 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 bonafide legal advice the present writ petition was filed on 01.05.2013 and that remained pending before this Court till date.

(Birendra Prasad Verma, J)

Arvind/-

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