

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20787 of 2014**

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Radhe Sharma son of Late Hanuman Sharma Resident of village- Bajhara,  
P.O. Sonali, Police Station- Kadwa, District- Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar through the D.M. Katihar
2. The D.C.L.R. , Barsoi, District- Katihar.
3. Dulal Kanti Nandi son of Late Harendra Kumar Nandi
4. Manik Kanti Nandi son of Late Harendra Kumar Nandi
5. Ashis Kumar Nandi son of Late Harendra Kumar Nandi
6. Mona Nandi son of Late Harendra Kumar Nandi
7. Sila Devi d/o Late Harendra Kumar Nandi
8. Chinu Prabha Nandi wife of Late Harendra Kumar Nandi, respondents  
no- 3 to 8 are resident of village - Chuna Gali Road Binodpur, Katihar,  
Police Station - Katihar , District- katihar.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Rahmatullah, Adv.

For the Respondent Nos. 1 & 2 : Mr. R.B.Pd. Yadav, AAG-11

Ms. Archana, AC to AAG-11

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

2      17-09-2016      After some argument, the learned counsel appearing on behalf of the petitioner, 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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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 petitioner 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 petitioner 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 8.12.2014 and that remained pending till date.

**(Birendra Prasad Verma, J)**

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