

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3480 of 2015

In
Civil Writ Jurisdiction Case No. 8423 of 2013

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1. Md. Isha Ansari
2. Md. Musha Momin @ Md. Musha Ansari
3. Ishu Momin @ Md. Ishuf Ansari
All are sons of Late Imam Momin, Resident of village- Benipatti, P.S.-
Benipatti, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Darbhanga
3. The Deputy Collector, Land Reforms, Benipatti, Madhubani
4. Md. Safiq Anshari, Son of Late Abdul Mazid Anshari, Resident of village
and P.S. Benipatti, District- Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narayan Yadav, Adv.
Mr. Saroj Kumar, Adv.

For the Respondent nos. 1 to 3 : Mr. Lokesh Kumar Singh, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 18-05-2016

M.J.C. No.3480 of 2015

The present MJC application has been filed on behalf of the petitioners for restoration of CWJC No.8423 of 2013, which stood dismissed by an order dated 06.11.2015 for want of prosecution.

After having heard the parties and for the reasons disclosed in the present MJC application, the prayer for restoration is allowed. CWJC No.8423 of 2013 is restored to its original file.

The present MJC application stands finally disposed of with the observations and directions made above.

CWJC No.8423 of 2013

On the request of the learned counsel appearing on behalf of the petitioners, the main writ petition has been taken up

for consideration merit.

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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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 18.04.2013 and that remained pending before this Court till date.

Arvind/-

(Birendra Prasad Verma, J)

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