

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7211 of 2015

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Ramesh Prasad Shahi S/o Late Shyam Nandan Prasad Shahi, resident of
Village Rajkhand, P.S. Aurai, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land and Revenue
Department, Government of Bihar, Patna.
2. The Commissioner, Tirhut Division, District Muzaffarpur.
3. The Collector, Muzaffarpur, District Muzaffarpur.
4. The Deputy Collector, Land Reform East Muzaffarpur, District
Muzaffarpur.
5. The Circle Officer, Aurai, P.S. Aurai, District Muzaffarpur.
6. Dinesh Prasad Shahi S/o Late Shyam Nandan Prasad Shahi, resident of
Village Rajkhand, P.S. Aurai, District Muzaffarpur.
7. Chandrabans Prasad Sahi S/o Late Yamuna Prasad Sahi, resident of
Village Rajkhand, P.S. Aurai, District Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s

: Mr. Rajeev Ranjan, Advocate

Mrs. Bela Singh, Advocate

For the Respondent Nos. 1 to 5 : Mr. Rakesh Narayan Singh, AC to AAG 15

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 25-11-2016

After some argument, the learned counsel appearing on behalf of the petitioner, in presence of the learned counsel appearing on behalf of the respondent nos. 1 to 5, 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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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 one month 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 bona fide legal advice, the present writ petition was filed before this Court on 06.05.2015 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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