

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6650 of 2012

With
Interlocutory Application No. 1393 of 2015

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Sunil Kumar Mandal son of Kamleshwari Mandal, resident of Village - Ghivaha PO. Ghivaha Via Sulpatganj P.S. Chhatapur District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. Collector, Supaul
3. District Fisheries Officer-cum-Chief Executive Officer, Supaul
4. Anchaladhikari, Chhatarpur, Distt. Supaul
5. Ramesh Mukhiya @ Ramesh Mallah Village Jibachhpur P.S. Bhimpur Distt. Supaul

.... Respondent/s

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Appearance :

For the Petitioner/s	: Mr. Anil Kumar Mukund, Advocate Ms.Sanjana, Advocate
For the Intervenor	: Mr.Arun Kumar, Advocate Mr.Binay Krishna, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 18-01-2016 After some argument, the learned counsel appearing on behalf of the petitioner, in presence of the learned counsel appearing on behalf of the intervenor, seeks permission to withdraw the present writ petition with a liberty to file an appeal before the respondent District Collector, Supaul under the provisions of The Bihar Land Mutation Act, 2011 for grant of appropriate relief (s) with respect to the lands in question as also with respect to 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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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 after impleading all the necessary parties 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 for condonation of such delay, then the learned District Collector, Supaul shall take into consideration that on a bona fide legal advice, the present writ petition was filed on 03.04.2012 and that remained pending before this Court till date.

It is clarified that the parties shall be at liberty to raise all the issues of facts and law before the respondent District Collector, Supaul, which may be available to them, with respect to the lands in question as also the order impugned.

It is further clarified that before passing any final order, an opportunity of hearing must be given to the petitioner and all other concerned persons.

I.A.No. 1393 of 1995 also stands disposed of.

(Birendra Prasad Verma, J)

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