

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13025 of 2010

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Sitaram S/O Late Raj Kumar Lal R/O Vill.- Bholachak, P.S.-Gardanibagh
Dist.-Patna.

.... Petitioner/s

Versus

1. The State of Bihar
 2. The District Magistrate, Patna.
 3. The Anchal Adhikari, Patna Sadar, Dist.-Patna.
 4. Mahendra Rai
 5. Tuntun Rai
 6. Hazabi Rai
 7. Tipan Rai
- Respondent nos. 4 to 7 are sons of Ram Awtar Rai
8. Naresh Rai
 9. Anil Rai
- Respondent nos. 8 & 9 are sons of Bhadai Rai
- Respondent nos. 4 to 9 are residents of Village Dhira Chak,
P.S. Gardanibagh, Dist.-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamal Nayan Chaubey, Sr. Advocate
Mr. Ambuj Nayan Chauby, Advocate
Mr. Dineshwar Pandey, Advocate
Mr. Amiresh Pandey, Advocate
Mr. Yogendra Dewedi, Advocate

For the Respondent Nos. 1 to 3: Mr. Dhurjati Kumar Prasad, GP 14

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 22-08-2016 After some argument, the learned senior counsel, appearing on behalf of the petitioner, in presence of the learned GP 14, appearing on behalf of the respondent nos. 1 to 3, seeks permission to withdraw the present writ petition with a liberty to approach the prescribed appellate authority for grant of appropriate relief(s) with respect to the lands claimed by him as also with respect to the order impugned.

Permission is accorded.

The writ petition stands dismissed as withdrawn with the liberty aforesaid.

If an appropriate appeal is filed on behalf of the petitioner, after impleading all the necessary parties including the private respondent nos. 4 to 9 or in case of death of any of them, the heirs and legal representatives of such deceased person(s), 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 on behalf of the petitioner for condonation of such delay, then the learned appellate authority shall take into consideration that on a bona fide legal advice, the present writ petition was filed before this Court on 11.08.2010 and that remained pending till date.

(Birendra Prasad Verma, J)

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