

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14422 of 2010

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Manoj Dubey S/O Bashistha Dubey R/O Vill Nautan, Pandey Tola,
P.S.Nautan, Distt-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate Distt-West Champaran, Bettiah
3. The Deputy Collector Land Reforms Bettiah Sadar, West Champaran
4. The Circle Officer Bairiya Circle, Distt-West Champaran
5. Ramjee Dubey S/O Late Laxmi Dubey, R/O Vill Nautan, Pandey Tola,
P.S.Nautan, Distt-West Champaran
6. Rajendra Tiwari S/O Late Madan Tiwari, R/O Vill Machchargawan,
P.S.Bairiya, Distt-West Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha
Mr. Prabhat Kumar Sharan

For the Respondent No.1 to 4 : Mr. Satishwar Prasad, AC to G.P. 9

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 04-02-2016 Perused the office note dated 03.02.2016.

In view of the report of the process server that the respondent no. 5 and 6 have refused to receive notice issued by this Court, let service of notice upon them be treated to be valid.

With consent of the parties, the main writ petition has been taken up for consideration on merits.

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The writ petition stands disposed of as withdrawn with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 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 bonafide legal advice, the present writ petition was filed before this Court on 30.08.2010 and that remained pending till date.

(Birendra Prasad Verma, J)

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