

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6026 of 2014

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1. Kanu Bhawal
2. Chanu Bhawal, Both Sons of Late Noni Gopal Bhawal, Resident Of
Mohalla - Kaptanpara, P.O. K. Bagh, P.S. Sadar, District - Purnea

.... Petitioner/s

Versus

1. The State Of Bihar through the Collector, District - Purnea
2. The Anchal Adhikari, Purnea (E), District - Purnea
3. The Circle Inspector, Purnea (E), District - Purnea
4. The Karamchari, Purnea (E), District - Purnea
5. The Ward Parshad, Ward No.38, Nagar Parishad, District - Purnea
6. The S.H.O., Sadar Police Station, District - Purnea
7. Bishwanath Bhawal
8. Dinesh Bhawal
9. Kartik Bhawal
10. Makhan Bhawal All Sons Chetanya Bhawal @ Chetanya Nav. Bhawal
Resident Of Village - Khuski Bagh, Kaptan Para, P.O. K. Bagh, P. S. Sadar,
District - Purnea
11. Jayant Bhawal
12. Sushant @ Raju Bhawal Both Sons Of Kartik Bhawal Resident Of
Mohalla - Kaptanpara, P.O. K. Bagh, P.S. Sadar, District - Purnea
13. Sambhu Bhawal
14. Kajal Bhawal Both Sons Of Late Noni Gopal Bhawal Resident Of
Mohalla - Kaptanpara, P.O. K. Bagh, P.S. Sadar, District - Purnea

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. K.N. Choubey, Sr.Adv.
Mr. Md. Naushad, Adv.
Mr. Zakia Ozair, Adv.

For the Respondent nos.1to6 : Mr. Udai Shankar Singh, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 30-06-2016 Heard learned senior counsel appearing on behalf of
the petitioners and the learned State counsel appearing on behalf
of the respondent nos.1 to 6.

The petitioners are aggrieved by three
different/separate orders dated 23.08.2010 passed in Mutation
Case No.1841 of 2010-11 (Annexure-1), the order dated
30.08.2010 passed in Mutation Case No.1980 of 2010-11

(Annexure-1/A) as also the order dated 25.09.2012 passed in Mutation Case No.12959 of 2012 (Annexure-1/B). All the aforesaid three orders have been passed by the respondent Anchal Adhikari, Purnea, East.

Though, the matter was argued for sometime, but, in response to the query, the learned senior counsel appearing on behalf of the petitioners fairly conceded that the orders impugned are appealable and revisable under Section 7 and 8 of The Bihar Land Mutation Act, 2011.

Learned State counsel submits that the writ petition at this stage is not maintainable in view of availability of alternative remedy of appeal and revision. It is further pointed out that the aggrieved person will have further remedy before the learned Bihar Land Tribunal, Patna in view of the provisions contained in Section 9 of The Bihar Land Tribunal Act, 2009.

In the aforesaid factual backdrop, the learned senior counsel appearing on behalf of the petitioners seeks permission to withdraw the present writ petition with a liberty to the petitioners to approach the appellate authority for grant of appropriate relief(s) with respect to the lands in question as also the orders impugned.

Permission is accorded.

The writ petition stands disposed of as withdrawn with the liberty aforesaid.

If appropriate appeal(s) are filed on behalf of the petitioners against the orders impugned before the prescribed appellate authority 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 petitioners for condonation of such delay, then the learned appellate authority shall take into consideration that on a bonafide legal advice the present writ petition was filed on 25.03.2014 and that remained pending till date.

(Birendra Prasad Verma, J)

Arvind/-

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