

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1526 of 2007

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1. Ram Lachhan Rai son of Late Uttam Rai, resident of Village Patedha Bujurg, P.S.Vaishali, District Vaishali
 2. Lalbabu Singh son of Jagdish Singh, resident of Village Patedha Jairam, P.S.Vaishali, District Vaishali
 3. Bam Rai son of Ram Sundar Rai
 4. Ram Bahadur Rai son of Late Uttam Rai
- Petitioner nos. 3 and 4 are residents of resident of Village Patedha Bujurg, P.S.Vaishali, District Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
 2. The Collector, Vaishali
 3. The Land Reforms Deputy Collector, Hajipur, District Vaishali
 4. The Circle Officer, Vaishali Anchal, P.S.Vaishali, District Vaishali
 5. Gaya Singh son of Tabakya Singh
 6. Smt.Usha Devi W/o Nand Kishore Singh
 7. Smt. Sunita Devi W/o Devendra Singh
 8. Smt. Madhuri Devi W/o Suresh Singh
- Respondent nos. 5 to 8 residents of Village Patedha Jayram, P.S.Vaishali, District Vaishali

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kamla Kant Tiwary, Advocate
For the Respondent Nos. 1 to 4 :Mr.Sukshil Kr.Singh, AC to AAG 10
For the Respondent Nos.5 to 8 :Mr.Nawal Kishore Singh, Advocate
Mr.Madan Prasad Singh, Advocate
Mr.Jitendra Nath Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 26-09-2016 After some argument, the learned counsel appearing on behalf of the petitioners, in presence of the learned State counsel appearing on behalf of the respondent nos. 1 to 4 and the learned counsel appearing on behalf of the private respondent Nos. 5 to 8, seeks permission to withdraw the present writ petition with a liberty to approach the civil court of competent jurisdiction for grant of appropriate relief(s) to the petitioners with respect to lands in question.

Permission is accorded.

The writ petition stands dismissed as withdrawn with the liberty aforesaid.

If such a civil suit is brought by the petitioners within a period of three months from today, after impleading all the necessary parties including the private respondents nos. 5 to 8 and/or their heirs and legal representatives, if need be, then the same shall be decided on its own merits on the basis of evidence/materials produced by the parties, but without being prejudiced/influenced by any finding recorded either in favour of the petitioners or in favour of the private respondent nos. 5 to 8 in the orders passed by the revenue authorities in the impugned mutation proceedings.

It is further clarified that in the civil suit, the parties shall be at liberty to raise all the issues of facts and law, which may be available to them, with respect to lands in question.

(Birendra Prasad Verma, J)

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