

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2113 of 2014

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Gonour Paswan, Son Of Yugeshwar Paswan, Resident Of Village Kolhua
Paigambarpur, P.S. Ahiyapur District Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner Cum Secretary, Rural Development Department,
Government Of Bihar, Patna
3. District Magistrate Cum Collector, Muzaffarpur
4. Anchal Adhikari, Kanti, P.S. Ahiyapur District Muzaffarpur
5. Bhola Prasad Chaudhary Son Of Sheo Nandan Chaudhary Resident Of
Village Kolhua Paigamberpur, P.S. Ahiyapur, District Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nirmal Kumar Sinha No.3, Adv.
Mr. Arun Kumar, Adv.

For the Respondent nos.1to4:Mr. Shashi Shekhar Prasad Sinha, AC to GA-3

For the Respondent no.5 :Mr. J.S. Arora, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 17-05-2016

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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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, which may be available to them, before the learned Bihar Land Tribunal, Patna.

If an appropriate petition is filed on behalf of the

petitioner within a period of two months 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 on 24.01.2014 and that remained pending before this Court till date.

It is clarified that if any of the parties have passed away during the pendency of the present writ petition, then his/her heirs and legal representatives shall be impleaded as party respondent (s) in the petition filed before the learned Bihar Land Tribunal, Patna and it shall be construed that such deceased person(s) has been substituted by the order of this Court.

(Birendra Prasad Verma, J)

Arvind/-

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