

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11798 of 2015

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1. Vishwanath Prasad Lakhotia @ Maheshwari @ Bishwanath Lakhotia
son of Late Memraj Lakhotiya @ Memraj Maheswari

2. Most. Puspa Devi Lakhotia wife of Late Gauri Shankar Lakhotia @
Gauri Shankar Maheshwari,

3. Ashutosh Lakhotia @ Ashutosh Kumar Maheshwari, son of Late Gauri
Shankar Lakhotia @ Gauri Shankar Maheshwari,

All are residents of Mohallah - Mahabir Asthan, Station Road, Ward No.
12, Rosera, P.O. & P.S. - Rosra, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.

2. The Collector, Samastipur.

3. The Circle Officer, Hasanpur Circle, At & P.O. P.S. - Hasanpur, District
- Samastipur

4. Shyam Sunder Somani son of Late Din Dayal Somani, resident of
Mohallah - Maranchi Ujagar @ Hasanpur, Road Bazar, P.O. & P.S. -
Hasanpur, District - Samastipur.

5. Raj Kumar Somani son of Late Din Dayal Somani, resident of Mohallah
- Maranchi Ujagar @ Hasanpur, Road Bazar, P.O. & P.S. Hasanpur,
District - Samastipur.

6. Anpurna Lakhotia wife of Gopal Lakhotia, daughter of Lane Din Dayal
Somani, resident of Mokama, P.O. - Mokama, P.S. -Mokama, District -
Patna.

7. Santosh Bhimani wife of Aryun Bhimani, daughter of Late Din Dayal
Somani, resident of Village - Jandaha Bazar, P.O. - Jandaha, P.S. -
Jandaha, District - Vaishali.

8. Jugal Somani, Son of Late Bhajan Lal Somani, Resident of Mohallah -
Maranchi Ujagar @ Hasanpur, Road Bazar, P.O. & P.S. - Hasanpur, District
- Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. M.N.Parbat, Sr.Advocate
Mr.Praveen Prabhakar, Advocate

For the Respondent Nos. 1 to 3: Mr. Aditya Nath Jha, AC to SC 18

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-09-2016

After some argument, the learned counsel appearing
on behalf of the petitioners, in presence of the learned counsel
appearing on behalf of the respondent nos. 1 to 3, 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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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 petitioners before the learned Bihar Land Tribunal, Patna within a period of eight 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 Bihar Land Tribunal, Patna shall take into consideration that on a bona fide legal advice, the present writ petition was filed before this Court on 03.08.2015 and that remained pending till date.

(Birendra Prasad Verma, J)

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