

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6298 of 2014

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Jitendra Singh Son of Late Ramdhari Singh, Resident of Village Dusadhi
Badhar, P.O. and P.S. Piro, District Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Deputy Collector, Land Reforms, Piro, District - Bhojpur
3. Pawan Singh Son of Late Gariba Singh, Resident of Village Dushadhi
Bazar, P.O. and P.S. Piro, District Bhojpur
4. Rajendra Singh Son of Late Ramdhari Singh
5. Bhuban Singh
6. Rabindra Singh
7. Sachin Singh, All Sons of Mahendra Singh
8. Nand Keshwar Singh Son of Ram Belas Singh
9. Yamuna Singh Son of Sheo Kumar Singh, All Residents of Village
Dushadhi Badhar P.O. and P.S. Piro, District - Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramadhar Singh

For the Respondent No.1 & 2 : Mr. Madhukar Mishra, AC to SC-31

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 01-07-2016 Heard the parties.

The petitioner is aggrieved by the order dated 26.12.2013 passed in Case No. 14 of 2013-14 by the respondent D.C.L.R., Piro (Bhojpur), as contained in Annexure-1 to the writ petition, whereby the respondent D.C.L.R., Piro (Bhojpur)-cum-competent authority has allowed the aforesaid case filed by the respondent no. 3 in exercise of his powers under Section 4 of The Bihar Land Disputes Resolution Act, 2009 (In short 'Act, 2009').

Admittedly, the impugned order, as contained in Annexure-1, is appealable in terms of Section 14 of the Act, 2009.

In that view of the matter, the learned counsel, appearing on behalf of the petitioner, seeks permission to withdraw the present writ petition with a liberty to approach the

prescribed appellate authority for grant of appropriate relief with respect to the lands in question as also the order impugned.

Permission is accorded.

The writ petition stands disposed of as withdrawn with the liberty aforesaid.

If an appropriate memorandum of appeal is filed on behalf of the petitioner 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 petitioner for condonation of such delay, then the appellate authority shall take into consideration that on a bonafide legal advice, the present writ petition was filed before this Court on 28.03.2014 and that remained pending before this Court till date.

(Birendra Prasad Verma, J)

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