

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5717 of 2014

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Gopal Tiwary Son Of Kamla Tiwary, resident of Village/Mauza- Ramgarh,
P.S.- Ramgarh, District Kaimur at Bhabhua

.... Petitioner/s

Versus

1. The State of Bihar through Collector Cum-District Magistrate, Kaimur,
District- Kaimur (Bhabhua)
2. Pramod Tiwary son of Kamla Tiwary
3. Raj Muni Devi wife of Santosh Kumar Gupta
4. Pramod Kumar Gupta son of Late Baleshwar Sah, respondent No.- 2 to 4
are resident of Village/Mauza- Ramgarh, P.S.- Ramgarh, District Kaimur At
Bhabhua

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate
Mr.Satyendra Prasad Singh, Advocate

For the Respondent no.1 : Mr. Kamlesh Kishore, AC to GP 2

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 28-06-2016

Heard the parties.

The petitioner is aggrieved by order dated 10.01.2014 passed in Misc.Case No. 39 of 2013-14 by the respondent District Collector-cum-District Magistrate, Kaimur (Bhabhua), whereby the petition filed on behalf of the petitioner under Section 32 of The Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 (in short, “the Act”) has been rejected.

After arguing the matter for some time, the learned counsel appearing on behalf of the petitioner, on the objection raised by the learned State counsel regarding maintainability of this writ petition at this stage, has fairly conceded that the impugned order is revisable under Section 35 of the Act before the Director of Consolidation, Bihar, Patna.

In above view of the matter, the learned counsel for the petitioner seeks permission to withdraw the present writ petition with a liberty to approach the Director of Consolidation,

Bihar, Patna for grant of appropriate relief(s) 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The writ petition stands disposed of as withdrawn with the liberty aforesaid.

(Birendra Prasad Verma, J)

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