

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12118 of 2011

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Jagdambi Yadav son of Tej Narayan Yadav, resident of Village-Srirampur,
P.S-Akbarnagar, District-Bhagalpur.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Bhagalpur.
3. The Deputy Collector Land Reforms, Bhagalpur.
4. The Circle Officer Sultanganj-Block, Bhagalpur.
5. Ganesh Mandal Shokhi Mandal Village Motichak, P.S-Akabarnagar,
District-Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Respondent : Mr. Sharad Kumar Sinha, G.P. 15

Mr. Amit Kumar Anand, AC to G.P. 15

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 25-01-2016 Indisputably, against the impugned order dated 06.10.2010 passed in Jamabandi Correction Appeal No. 52 of 2004-05 by the respondent District Collector, Bhagalpur, as contained in Annexure-3 the petitioner has two alternative and efficacious remedies: one before the statutory revisional authority; and other before the Bihar Land Tribunal, Patna in view of the provisions contained in Section 9 of The Bihar Land Tribunal Act, 2009.

In above view of the matter, after some argument, the learned counsel appearing on behalf of the petitioner, in presence of the learned State counsel appearing on behalf of the respondent no. 1 to 4, seeks permission to withdraw the present writ petition with a liberty to approach the alternative statutory forum/ authority for redressal of his valid grievances with respect to the lands in question, as also with respect to the order impugned.

Permission is accorded.

The writ petition stands dismissed as withdrawn with the liberty aforesaid.

If an appropriate petition is filed before an appropriate statutory forum/ authority and if it is found that the respondent no. 5 has passed away, then the petitioner shall be at liberty to implead his heirs and legal representatives as party respondents and the matter shall be decided in accordance with law after giving an opportunity of hearing to all concerned.

It is further observed that if an appropriate petition is filed before the appropriate statutory forum/ authority within a period of one month from today, then the parties shall be at liberty to raise all the issues of facts and law, which may be available to them with respect to the lands in question as also with respect to the order(s) impugned.

(Birendra Prasad Verma, J)

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