

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15240 of 2015**

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1. Md. Saud Ansari Son of Harun Ansari, Resident of Village- Kaparoul, P.S.- Riga, District- Sitamarhi.
  2. Asgar Ansari Son of Nazamuddin Ansari, Resident of Village- Kaparoul, P.S.- Riga, District- Sitamarhi.
  3. Md. Sagir Nadaf, son of Late Yunus Nadaj, Resident of Village- Madanpur, P.S.- Bajpatti, District- Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar.
  2. The Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
  3. The District Magistrate, Sitamarhi.
  4. The Superintendent of Police, Sitamarhi.
  5. The S.D.O. Sadar, Sitamarhi.
  6. The Deputy Collector Land Reforms, Sadar, Sitamarhi.
  7. The Deputy Collector Land Reforms, Pupri.
  8. The Circle Officer, Riga, Sitamarhi.
  9. The Circle Officer, Bajpatti, Sitamarhi.
  10. The Anchal Amin, Riga, Sitamarhi.
  11. Bharat Prasad,
  12. Satrughan Prasad,
- Both Sons of Satya Narayan Prasad, Resident of Mohalla- Litchi Bagan, P.S.- Sitamarhi, District- Sitamarhi.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Sinha, Adv.  
For the Respondent nos.1to10 : Mr. Kaushal Kumar Jha, AAG-8.

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

2      04-10-2016

Heard the parties.

The petitioners have filed the present writ petition under Article 226 of the Constitution of India seeking a direction to the respondent authorities to issue them parcha under the provisions of The Bihar Privileged Persons Homestead Tenancy Act, 1947 (in short 'Act, 1947') with respect to the lands in question, mentioned in paragraph 1 of the writ petition.

In the present case, a counter affidavit has been filed

on behalf of the respondent no.6, wherein it has been averred in paragraph 5 that the claims raised on behalf of all 12 persons, excepting the petitioner no.1, for issuance of homestead parcha have been allowed, but the claim raised on behalf of the petitioner no.1 has been rejected on the ground that it was not filed in the prescribed format.

In view of the averments made in the aforesaid counter affidavit, the learned counsel appearing on behalf of the petitioners seeks permission to withdraw the present writ petition with a liberty to approach the District Collector, Sitamarhi in terms of Section 21 of the Act, 1947 for grant of an appropriate relief to the petitioner no.1 also with respect to the lands claimed by him.

Permission is accorded.

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

**(Birendra Prasad Verma, J)**

Arvind/-

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