

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12818 of 2011**

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Md.Ansarul Khan S/O Late Md. Ismail Khan R/O Mohalla- Nauhatta, P.S.-  
Nauhatta, Distt.- Saharsa

.... .... Petitioner/s

Versus

1. The State of Bihar through District Magistrate cum Collector, Saharsa
2. The Circle Officer, Nauhatta
3. Md. Safejul Alam S/O Late Md. Ali Mohammad R/O Mohalla- Nauhatta,  
P.S.- Nauhatta, Distt.- Saharsa

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Respondent Nos. 1 & 2 : Mr. Md. Anisul Haque, AC to AAG 5

For the Respondent no.3 : Mr.Parmod Mishra, Advocate

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

4      09-08-2016

After some argument, the learned counsel appearing on behalf of the petitioner, in presence of the learned counsel appearing on behalf of the respondents, 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The writ petition stands disposed of as withdrawn with the liberty aforesaid.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 petitioner before the learned Bihar Land Tribunal, Patna within a period of six 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 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 05.08.2011 and that remained pending till date.

**(Birendra Prasad Verma, J)**

Tahir/-

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