

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16324 of 2006

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1. Ram Lachhan Rai, son of late Uttam Rai, resident of village-Patedha Buzurg, P.S.-Vaishali, District-Vaishali.
 2. Lalbabu Singh, son of Jagdish Singh, resident of village-Patedha Jairam, P.S.-Vaishali, District-Vaishali.
 3. Bam Rai, son of Ram Sundar Rai,
 4. Ram Bahadur Rai, son of late Uttam Rai
- Both residents of village-Patedha Buzurg, P.S.-Vaishali, District-Vaishali
.... Petitioner/s

Versus

1. The State of Bihar
 2. The Collector, Vaishali.
 3. The Land Reforms Deputy Collector, Hajipur, Vaishali.
 4. The Circle Officer, Vaishali Anchal, P.S.-Vaishali, District-Vaishali.
 5. Gaya Singh, son of Tabakya Singh
 6. Usha Devi, wife of Nand Kishore Singh.
 7. Sunita Devi, wife of Devendra Singh.
- Respondent nos.5 to 7 are resident of village-Patedha Jairam, P.S.-Vaishali, District-Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary, Adv.
For the Respondent nos.1to4 : Mr. Amrish, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 21-11-2016

After some argument, the learned counsel appearing on behalf of the petitioners, in presence of the learned State counsel appearing on behalf of the respondent nos. 1 to 4, seeks permission to withdraw the present writ petition with a liberty to approach the civil court of competent jurisdiction for grant of appropriate relief(s) to the petitioners with respect to lands in question.

Permission is accorded.

The writ petition stands dismissed as withdrawn with the liberty aforesaid.

If such a civil suit is brought by the petitioners within a period of three months from today, after impleading all the

necessary parties including the private respondents nos. 5 to 7 and/or their heirs and legal representatives, if need be, then the same shall be decided on its own merits on the basis of evidence/materials produced by the parties, but without being prejudiced/influenced by any finding recorded either in favour of the petitioners or in favour of the private respondent nos. 5 to 7 in the orders passed by the revenue authorities in the impugned mutation proceedings.

It is further clarified that in the civil suit, the parties shall be at liberty to raise all the issues of facts and law, which may be available to them, with respect to lands in question.

(Birendra Prasad Verma, J)

Arvind/-

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