

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8515 of 2015

- =====
1. Ashok Sharma Son of Bilash Sharma
 2. Ravi Ratnayak Son of Late Prabhash Patel
- All are Residents of Mohalla - Purani Gudri, Ward No. 9 , P.O. Bettiah, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Bettiah, West Champaran.
2. District Panchayat Officer, Bettiah, West Champaran.
3. Sub-Divisional Officer, Bettiah, West Champaran.
4. Circle Officer, Bettiah, West Champaran.
5. Deputy Collector, Land Reforms, Bettiah, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. S. R. P. Sinha, Adv.
For the State : Ms. Sanghmitra Ghosh, AC to GP-15

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-11-2017 Heard learned Counsels for the petitioners and the respondent-State.

Though initially the Writ application was filed for quashing the notice dated 25.02.2013, issued under the signature of respondent no.4, the Circle Officer, Bettiah, in Encroachment Case No. 6 of 2011-12, whereby, the petitioners were directed to appear before the Court of Circle Officer, Bettiah as to why the encroachment be not removed, from the land appertaining to Plot No.1560, Village - Purani Gudari Ward No.9, District-West Champaran.

However, a statement has been made in paragraph no.9 of the counter affidavit that final order has been passed in



Encroachment Case No. 06 of 2011-12 on 28.03.2014.

Hence, in that view of the matter, learned Counsel for the petitioners seeks permission to withdraw the present Writ application with a liberty to avail the alternative remedy of appeal.

Permission is accorded.

In the circumstances, it is expected from the Appellate Authority that if any appeal is filed along with an application for condonation of delay within a period of ten days from the date of production/receipt of a copy of this order, the same may be considered in view of the fact that the petitioners were pursuing their remedy before this Court since 2015.

Accordingly, the writ application is disposed of as withdrawn with the aforementioned liberty.

(Dinesh Kumar Singh, J)

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