

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3060 of 2015

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Sharvan Nayak @ Sharvan Kumar Nayak, Son of Late Surat Nayak, Resident of village Bhagwatipur, Police Station Pandaul, District Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The Collector, Madhubani.
3. The Deputy Collector, Land Reforms, Sadar Madhubani.
4. The Circle Officer, Pandaul, District - Madhubani.
5. Ram Saugarath Sahu, Son of Late Domu Sah, Resident of village Bhagwatipur, Police Station Pandaul, District Madhubani.
6. Prakash Sah, Son of Late Domu Sah, Resident of Village Bhagwatipur, Police Station Pandaul, District Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Vijay Kumar, Advocate
For the State	:	Mr. S.K. Mandal, SC3
		Ms. Neelam Kumari, AC to SC3
For Res. Nos.5 & 6	:	Mr. Shashi Nath Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 24-09-2018 Heard both sides.

The petitioner has filed this writ petition for setting aside the order dated 29.11.2014, passed by the Deputy Collector Land Reforms, Sadar Madhubani in Land Dispute Resolution Case No.60 of 2013-14. At the outset of the argument, the learned counsel for the respondents submits that the order of the DCLR is appealable before the Commissioner and thereafter aggrieved party has got remedy before the Bihar Land Tribunal but the petitioner without exhausting the efficacious and alternative remedy filed this writ petition.



On such, the learned counsel for the petitioner seeks permission to withdraw this writ petition with liberty to present the appeal before the Commissioner.

Prayer is allowed.

The writ petition is permitted to be withdrawn with liberty that the petitioner shall present appeal before the Commissioner, Darbhanga who shall hear the petitioner and the respondents without unsuiting the petitioner on the ground of limitation and disposed of the appeal within six months from the date of its filing.

Accordingly, this writ petition stands disposed of.

(Prabhat Kumar Jha, J)

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