

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19043 of 2019

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Arvind Prasad Yadav @ Arvind Rai Son of Late Baleshwar Rai, Resident of
Village-Hilalpur, P.S.-Industrial Area Hajipur, District-Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar through Collector Vaishali at Hajipur
2. The Additional Collector, Vaishali at Hajipur
3. The Deputy Collector Land Reforms Hajipur, District Vaishali
4. The Anchal Adhikari, Hajipur Anchal, District Vaishali
5. Sheoji Rai Son of Late Subaran Rai Resident of Village-Hilalpur Madarpur,
P.S. Industrial Area Hajipur, P.S. Hajipur, Distirct-Vaishali
6. Radha Rani Rai Wife of Sheoji Rai Resident of Village-Hilalpur Madarpur,
P.S. Industrial Area Hajipur, P.S. Hajipur, Distirct-Vaishali
7. Shanti Devi Wife of Late Ranjit Rai Resident of Village-Hilalpur Madarpur,
P.S. Industrial Area Hajipur,Anchal-Hajipur, Distirct-Vaishali
8. Rahul Rai Son of Late Ranjit Rai Resident of Village-Hilalpur Madarpur,
P.S. Industrial Area Hajipur,Anchal-Hajipur, Distirct-Vaishali
9. Nitesh Kumar Rai Son of Ranjit Rai Resident of Village-Hilalpur Madarpur,
P.S. Industrial Area Hajipur,Anchal-Hajipur, Distirct-Vaishali
10. Shiv Chandra Rai Son of Sri Baleshwer Rai Resident of Village-Hilalpur
Madarpur, P.S. Industrial Area Hajipur,Anchal-Hajipur, Distirct-Vaishali

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma
For the Respondent/s : Mr.Subash Chandra Yadav (GP15)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-09-2019 Heard both sides.

The learned counsel for the petitioner submits that one Ram Chandra Rai filed petition for mutation and the same was dismissed by the original, revisional and appellate authority. Ram Chandra Rai filed CWJC No. 11052 of 2006 before this court and vide order dated 18.03.2008 the writ petition was dismissed with liberty to Ram Chandra Rai to pursue Title Appeal No. 68 of 1992. It is submitted that thereafter respondent



No.5, Sheoji Rai, who happens to be brother of Ram Chandra Rai, and his wife, Radha Rani Rai, respondent No.6, filed petition for mutating their names on the basis of the fact that records of rights in revisional survey is standing in their names. The Circle Officer dismissed the petition of respondent No. 5 and 6 but the appellate authority allowed the appeal and directed for mutating the names of respondent No. 5 and 6. The petitioner and others filed revision petition but the same was dismissed.

According to Bihar Land Dispute Act the petitioner has got alternative remedy to file petition before the Bihar Land Tribunal.

After some argument, the learned counsel for the petitioner seeks permission to withdraw this writ petition with a liberty to file petition before the Bihar Land Tribunal against the order impugned.

Prayer is allowed.

This writ petition is disposed of as withdrawn with a liberty to the petitioner to file petition before the Bihar Land Tribunal against the impugned order within two months from the date of receipt of this order.

(Prabhat Kumar Jha, J)

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