

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.431 of 2020

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1. Akhilesh Kumar son of Bhuvneshwari Prasad Yadav Resident of Village- Kasaha, Panchayat- Latauna Uttar, P.O. and P.S.- Triveniganj, District- Supaul, PIN- 852139.
 2. Ramanand Yadav son of Bhubneshwari Yadav Resident of Village- Latauna, Ward No.- 13, P.O. and P.S.- Triveniganj, District- Supaul, PIN- 852139.
 3. Punam Devi wife of Suresh Kumar Chaudhary Resident of Village- Patarghatti, Ward No- 10, P.O. and P.S.- Triveniganj, District- Supaul, PIN- 852139.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Land Reform and Revenue Department, State of Bihar, Patna.
3. The Divisional Commissioner, Koshi Division, Saharsa.
4. The Collector-cum- District Magistrate, Supaul.
5. The Additional Collector, Supaul.
6. The Deputy Collector Land Reforms, Triveniganj, District- Supaul.
7. The Circle Officer, Triveniganj, District- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar
For the Respondent/s : Mr.Md. Khursid Alam (AAG12)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-01-2020 Heard both sides.

The petitioners have filed this writ petition against the order dated 11.05.2018 passed by Additional Collector, Supaul in Jamabandi Cancellation Case No.36 of 2017, 4 of 2017-18 in view of the provisions as contained in Section 9(6) of the Bihar Mutation Act. There is a provision of appeal against the order of the Additional Collector passed under Section 9(1) of the Act.



The petitioner has not exhausted the alternative remedy by filing appeal before the Collector.

In this view of the fact, the learned counsel for the petitioners seeks permission to withdraw this writ petition with liberty to present memo of appeal against the order dated 11.05.2018 passed in Jamabandi Cancellation Case No.36 of 2017, 4 of 2017-18.

Having considered the facts, I dispose of this writ petition with a direction to the petitioners to present the appeal before the Collector within 30 days from the date of receipt of this order and on such, the Collector shall dispose of the appeal of the petitioners on merit without unsuiting the petitioners on the ground of limitation within six months.

With the aforesaid direction, this writ petition is disposed of as withdrawn.

(Prabhat Kumar Jha, J)

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