

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17438 of 2015

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Chandra Mohan Yadav Son of Late Jagdish Narayan Yadav resident of village
- Gausa, Police Station - Sadar and District Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Darbhanga
3. The Settlement Officer, Darbhanga
4. The Assistant Settlement officer, Laheriasarai, District Darbhanga
5. Madan Mohan Yadav
6. Bimal Yadav Both Sons of Late Shiv Pujan Yadav resident of village -
Gousa, Police Station - Sadar, District - Darbhanga

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT
Date : 09-12-2021

Petitioner has prayed for the following relief(s):-

“1. That this is an application for issuance of appropriate writ or writs, order or orders, direction or directions for setting aside the order dated 11.06.2009 passed by the Respondent No. 4 in Suit No. 145 of 2004 filed Under Sections 106 of the B.T. Act whereby and where under the respondent no. 4 has passed ex-parte order against the dead person and order to record the land in question in the name of Respondent No. 5 and 6 and/or issuance of appropriate consequential writ or writs under the facts and circumstances of the case.”



Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to file an appropriate application before the competent authority.

Permission granted.

Needless to add, if such a petition is filed before the competent authority within a period of four weeks, the issue of limitation shall not come in the way of deciding the same on merits within a period of three months from the date of filing the petition along with a copy of this order. Also, liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law, before the appropriate forum.

It is made clear that this Court has not expressed any opinion on the merits of the case and all issues are left open.

The instant petition stands disposed of as withdrawn with the aforesaid liberty/observation.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

P.K.P./Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	10.12.2021
Transmission Date	

