

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14070 of 2005

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1. Md. Muslim, Son of Sri Ful Mohammad,
 2. Md. Naseer, Son of Sri Ful Mohammad,
 3. Md. Baseer, Son of Sri Ful Mohammad,
 4. Md. Kaseer, Son of Sri Ful Mohammad,
 5. Md. Sabeer, Son of Sri Ful Mohammad,
- All are residents of Village Garha, Police Station- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar
 2. The Collector, Madhubani.
 3. The Sub Divisional Officer, Jainagar, Madhubani.
 4. The Circle Officer, Ladaniya, Madhubani.
 5. Laxmi Safi, Son of Late Sundar Safi, Resident of Village- Garha, P.S.- Ladaniya, District- Madhubani.
 6. Sri Baidya Nath Lal Das, Son of Late Jiwach Lal Das,
 7. Sri Upendra Lal Das, Son of Late Jiwach Lal Das,
 8. Gopal Lal Das, Son of Late Laxmi Narayan Das,
 9. Akhilesh Lal Das, Son of Late Laxmi Narayan Das,
- Respondent nos.6 to 9 are residents of Village- Belahi, P.S.- Pandaul, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Uday Shankar Sharan Singh

For the Respondent/s :

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

8 09-12-2021 Petitioner has prayed for the following relief(s):-



“for issuance of writ in the nature of certiorari or any other appropriate writ/writs, order/orders, for quashing the order dated 14.10.2003 passed in Bataidari Case No. 6/92-93/42/97-98 by the Sub-Divisional Officer, Jainagar (Annexure-2) (Collector under the Act) by which he has declare respondent No.5 (Laxmi Safi) as Bataidari Over a peace of land and the order dated 14.03.2003 passed by Collector, Madhubani in Bataidari Appeal No. 52/03-04 whereby and whereunder he has affirmed the order passed as aforementioned Bataidari case, by order dated 14.03.2005 (Annexure-3).

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to file an appropriate petition 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)

Sujit/Ashwini

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