

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2315 of 2017

Pradeep Prasad Son of Late Gopaljee Prasad Resident of village, PO and PS -
Lauriya, District - West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, West Champaran.
3. The Deputy Collector Land Reforms, West Champaran.
4. The Circle Officer, Lauriya, West Champaran.
5. Lal Babu Prasad Son of Late Nathuni Sah Resident of Village, PO and PS -
Lauriya, District - West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Respondent/s : Md. Khurshid Alam- AAG12

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-05-2023 Heard learned counsel for the parties.

The petitioner has filed the instant application for the
following relief(s):

*“ i.For quashing of the order dated
25.08.10 passed in Mutation Revision no.89/09-10
passed by the Additional Collector, West
Champaran Bettiah where under and whereby
mutation order and order passed by the appellate
authority cum DCLR, Narkatiaganj dated
08.07.2000 passed in Mutation Appeal no.25/1999-
2000 has been held as bad and the order has been
set aside and the Circle officer has been directed to
pass fresh order after making spot inspection.*

*ii. That for setting aside the order dated
13.12.13 contained in memo no.1891 dated*



26.12.13 passed by Circle Officer, Lauriya by which the Circle Officer, Lauriya (West Champaran) has cancelled Jambandi no.710 which was standing in name of the petitioner and his brothers since earlier ignoring that TS No.251/1998 is pending between the parties for adjudication before learned Munsif, Narkatiyaganj.”

Having heard the observations of this Court that the petitioner has an equally alternative and efficacious remedy by way of moving before the Tribunal under the Bihar Land Tribunal Act, 2009, learned counsel for the petitioner seeks permission to withdraw this application to move an appropriate application before the Tribunal.

In case an application before the Tribunal against the order impugned is preferred, the learned Tribunal in considering the limitation petition shall take into consideration the period for which the instant application was being pursued by the petitioner in this Court and shall decide the application so preferred on its own merit.

This writ application stands disposed of as withdrawn with the aforesaid observations and directions.

(Partha Sarthy, J)

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