

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.197 of 2020

Rajesh Kumar Srivastava Son of Dakshinamurti@Loknath Dakshinamurti
Resident of Professor Colony Belwanwa, P.S. Motihari Nagar, P.O. Motihari,
District- East Champaran.

... .. Petitioner/s

Versus

1. Vijay Kumar Yadav, Son of Ramchandra Prasad Yadav, Resident of Bairiya Gumasta Tola, P.S. Motihari Mufassil, P.O. Engineering Collage, District-East Champaran.
2. Abhishek Kumar, Son of Shatrudhan Pathak, Resident of Chhota Bariyarpur, P.S. Chhatauni, P.O. Motihari Sugar Mill Quarter, District-East Champaran.
3. Ramnandan Manjhi, Son of Panchu Manjhi, Resident of Bankat, P.S. Motihari Muffasil, P.O. Bada Bariyarpur, District- East Champaran.
4. Chanu Manjhi, Son of Shivrnanandan Manjhi, Resident of Bankat, P.S. Motihari Muffasil, P.O. Bada Bariyarpur, District- East Champaran.
5. The District Land Acquisition Officer East Champaran District- East Champaran.
6. The State of Bihar through the Collector East Champaran , District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rajnish Shandilya, Advocate
For the State	:	Mr.Sajid Salim Khan (SC25)
For Respondent No. 1	:	Mr. Binod Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

7 25-06-2024 Heard learned counsel for the parties.

2. Learned counsel for the petitioner submits that the petitioner has challenged the rejection of plaint under Order 7 Rule 11(d) of the Code of Civil Procedure as the filing of the same was barred under Section 63 of Land Acquisition, Rehabilitation & Resettlement Act, 2013 (hereinafter ‘the Act’). Learned counsel further submits that during pendency of the



present petition, the District Land Acquisition Officer, East Champaran, Motihari referred the matter to Land Acquisition Rehabilitation and Resettlement Authority (LARRA), Muzaffarpur which is empowered to decide the objection of the petitioner under Section 64 of the Act, 2013.

3. Since the matter has already been referred to the competent authority, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to raise all the issues before the learned authority.

4. In the light of prayer made by the learned counsel for the petitioner, the present petition is dismissed as withdrawn with liberty as aforesaid.

5. It is made clear that the withdrawal of the petition would not come in the way of the petitioner assailing his right before the appropriate forum.

(Arun Kumar Jha, J)

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