

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5308 of 2018

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1. Paras Thakur, S/o Late Harkeshwar Thakur.
 2. Nanhbutan Thakur, S/o Late Harkeshwar Thakur, Both are residents of Village-Bahoanpur Diara, P.S. - Shahpur, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Bhojpur at Arah.
2. District Settlement Officer, Bhojpur at Arah.
3. Assistant Settlement Officer, Bhojpur at Arah.
- 4.1. Most. Jaso Devi, Wife of late Brameshwar Thakur Resident of Village-Bahoanpur, Diara, P.S. Shahpur, District-Bhojpur.
- 4.2. Talkeshwar Thakur, Son of late Brameshwar Thakur, Resident of Village-Bahoanpur, Diara, P.S. Shahpur, District-Bhojpur.
- 4.3. Most. Bibha Devi, Wife of late Chhiteshwar Thakur, Resident of Village-Bahoanpur, Diara, P.S. Shahpur, District-Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC-25

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 26-09-2024

I.A. Nos. 2 of 2024 and 3 of 2024

Heard the parties.

2. During the pendency of the present writ petition, respondent no.4 died on 26.04.2022, leaving behind his legal heirs, the particulars of which have been duly mentioned in para-2 of Interlocutory Application No. 2 of 2024.

3. Interlocutory Application No. 3 of 2024 has been filed for condonation of delay in filing the substitution petition.

4. In view of the averments made in the interlocutory



application(s), the delay in filing the substitution petition is condoned. I.A. Nos. 2 of 2024 and 3 of 2024 stand allowed.

5. Office is directed to make necessary correction and implead the names of legal heirs of late respondent no.4, in the cause title of the writ petition.

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6. After some arguments, learned counsel for the petitioners seeks permission to withdraw the present writ petition with liberty to avail the statutory remedy as prescribed under Section 109A(2) of the Bihar Tenancy Act, 1885.

7. Permission is accorded.

8. The writ petition stands dismissed as withdrawn with the aforesaid liberty.

(Harish Kumar, J)

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