

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.209 of 2021

Prasadi Lal Safi @ Prasadi Safi Son of Molhee Safi Resident of Village-Garba, Post Office-Saangi, Ward No.-10, House No.-60, Police Station Phulparas, Block Office-Ghoghardiha, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue Department, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Land and Revenue Department, Government of Bihar, New Secretariat, Patna .
3. The District Magistrate, Madhubani.
4. The Additional District Magistrate, Madhubani.
5. The Assistant Settlement Officer, Madhubani.
6. The Sub-Divisional Officer Phulparas, Madhubani.
7. The Circle Officer Ghoghardiha, Madhubani.
9. Basant Keshav, Son of Late Tara Kant Kamat Resident of Village-Garba, Post Office-Saangi Ward No.10, Police Station-Phulparas, Block Office-Ghoghardiha, District-Madhubani.
10. Raju Ranjan Son of Late Tara kant Kamat Resident of Village-Garba, Post Office-Saangi Ward No.10, Police Station-Phulparas, Block Office-Ghoghardiha, District-Madhubani.
11. Rubi Devi Daughter of Late Tara Kant Kamat Resident of Village-Garba, Post Office-Saangi Ward No.10, Police Station-Phulparas, Block Office-Ghoghardiha, District-Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Digvijay Narayan Singh, Advocate
For the State	:	Mr. Nutan Sahay, AC to AAG-12
For the Private Respondent	:	Mr. Chandra Bhushan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

8 22-10-2024 Heard learned counsel for the petitioner, learned AC to AAG-12 and the learned counsel appearing on behalf of the private respondents.

2. The learned counsel appearing on behalf of the State and the private respondents at the outset submits that



petitioner has remedy of appeal against the order passed in Case No.1661 of 2005 under Section 109 of the B.T. Act. The learned counsel further submits that petitioner instead of seeking his remedies available in law of appeal has directly approached this Court.

3. The learned counsel appearing on behalf of the petitioner argued vehemently for sometime but realizing his difficulty seeks permission to withdraw the writ application with liberty to move against the order impugned in appeal before the authority competent.

4. Permission is accorded.

5. It is made clear that if any appeal is filed within a period of one month from today, the authority while deciding the period of limitation, if any, shall take into consideration the fact that the writ application was pending before the this Court since 2021 till date.

(Satyavrat Verma, J)

Prakash Narayan

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