

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7726 of 2014**

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Sharda Nand Prasad, son of Late Shiv Nandan Bhagat, resident of village-  
Damodarpur, P.O.- Damodarpur, P.S. Kanti, District- Muzaffarpur

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner-cum-Principal Secretary, Revenue and Land Reforms  
Department, Bihar, Patna
3. The Collector-cum-District Magistrate-cum-Disciplinary Authority,  
Muzaffarpur
4. The Sub-Divisional Officer (East) -cum- Inquiry Officer, Muzaffarpur
5. The Circle Officer, Mushari, Muzaffarpur

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar

For the Respondent/s : Mr. Mritunjay Kumar, AC to AAG-10

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

2      28-01-2015                      After some argument, learned counsel appearing on  
behalf of the petitioner seeks permission to withdraw the present  
writ petition with a liberty to file an appeal before the prescribed  
appellate authority against the impugned order dated 01.03.2014  
(Annexure-8) passed by the respondent District Magistrate,  
Muzaffarpur, whereby the petitioner has been visited with the  
punishment of dismissal from service.

Permission is accorded.

The writ petition stands dismissed as withdrawn with  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

If such an appeal is filed on behalf of the petitioner  
within a period of four weeks from today and, if it is found that it  
has become barred by limitation, then the appellate authority shall  
take into consideration that the present writ petition was filed on  
21.04.2014 on a bonafide legal advice and that remained pending  
before this Court till date.

Arvind/-

**(Birendra Prasad Verma, J)**

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