

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20086 of 2011

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1. Najirul Islam @ Kazim Anwar S/O Late Ahsan Ali Resident Of Village Locha, P.O. Locha, P.S. Bahadurganj, District Kishanganj.

.... Petitioner/s

Versus

1. The State Of Bihar Through Secretary Home Department Bihar, Patna.
2. The District Magistrate Kishanganj.
3. Executive Magistrate (Legal Section), Kishanganj.
4. Sub Divisional Magistrate, Kishanganj.
5. Block Development Officer, Bahadurganj, District Kishanganj.
6. Md. Kasim S/O Late Ahsan Ali Resident Of Village Loucha, P.O. Lucha, P.S. Bahadurganj, District Kishanganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha
For the Respondent/s : Mr. Rishiraj Sinha Gp19

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 27-11-2015 Heard Mr. Pramod Mishra, Advocate for the petitioner, Mr. Raghib Ahsan, Sr. Advocate who has appeared on behalf of the respondent no.6 to oppose the writ application as also the State.

The writ application seeks to quash the death certificate (Annexure-6) issued by the Block Development Officer, Bahadurganj issued in respect of late Najirul Islam s/o late Ehsaan Ali.

Considering the nature of the relief prayed in the application and the fact that a litigation between the parties is pending before the Civil Court and also having realized that the

certificate shall at best be a piece of evidence which can be rebutted in the proceeding. Learned counsel for the petitioner states that the matter shall be agitated before the Court where the suit is pending or before any appropriate authority for consideration in accordance with law.

Mr. Ahsan, in view of the stand taken by the petitioner, has not objected to the disposal of the matter.

The writ application is, accordingly, disposed of with the said liberty to the petitioner.

(Kishore Kumar Mandal, J)

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