

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 281 of 2016

Deepak Kumar Jain S/o Loon Karan Jain, Aged About 56 Years R/o
Arjuni, Post & P S Arjuni, Tahsil & Dist. Dhamtari (Chhattisgarh)
---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Development, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur (Chhattisgarh).
2. Collector, Dhamtari (Chhattisgarh).
3. Superintendent Of Police, Dhamtari (Chhattisgarh).
4. Municipal Corporation, Dhamtari, Through The Commissioner, Municipal Corporation, Dhamtari (Chhattisgarh)
5. Station House Officer, Police Station Arjuni, Dist. Dhamtari (Chhattisgarh)
---**Respondents**

For Petitioner	:	Shri B.D. Guru, Advocate
For State	:	Shri B.Gop Kumar, Dy. A.G.
For respondent No.4	:	Mr. C.P. Lahrey, Advocate appears on behalf of Mr. Dharmesh Shrivastava, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/12/2016

Heard.

1. In view of the reply and dispute of factual nature raised by the respondents, learned counsel for the petitioner seeks to withdraw this petition however, with liberty to seek appropriate decree by filing a suit before the Civil Court of a competent jurisdiction.
2. In view of the nature of dispute raised in this petition, which may require recording of evidence and decision on factual aspects of claim, right of easement by the petitioner, the petitioner is permitted to withdraw this petition with liberty to file civil suit.
3. Accordingly, with the aforesaid liberty, the petition is dismissed as withdrawn

Sd/-
(Manindra Mohan Shrivastava)
Judge