

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5310 of 2009

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1. Shyamjee Lal Nakphopha.
2. Lakshman Lal Nakphopha
3. Kanhaiya Lal Nakphopha , All sons of Late Gobind Lal Nakphopha.
4. Krishna Lal Nakphopha son of Late Madan Lal Nakphopha.
5. Jyoti Devi W/O- Late Gopal Lal Nakphopha.
6. Sanju Kumari minor d/o Late Gopal Lal Nakphopha under the guardianship of his mother Jyoti Devi.

All are resident of Mohalla Bahuar Chaura, Police Station City Lines,
District-Gaya.

.... Petitioners

Versus

1. The State of Bihar through the Collector, Gaya.
2. Municipal corporation Gaya, through the Superintendent of Survey, Gaya, Municipal Corporation Gaya(Bihar).
3. Punia Devi W/O- Late Munni Yadav.
4. Ram Swarup Yadav.
5. Sadhu Yadav.
6. Naresh Yadav @ Nanhak Yadav.
7. Usha Devi, W/o Uma Yadav.
8. Rekha Devi W/O Dullar Yadav. Resident of Village-Sohaipur, Police Station-Muffasil, Gaya, District-Gaya.
9. ArjunYadav.
10. Ram Chandra Yadav.
11. Gopal Yadav.
12. Bigan Yadav.

4 to 6 are sons of Late Munni Yadav.

3 to 7 are resident of Village Maulla Nagar, Police Station-Bodh Gaya,
District-Gaya.

9 to 12 are sons of Late Banwari Yadav, Resident of Mohalla-Salempur,
Police Station-Muffasil, District-Gaya.

13. Municipal Commissioner Gaya, Municipal Corporation, Gaya.

.... Respondents



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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Advocate

For the Respondent/s : Mr. P.K Verma, AAG-XI

For the Gaya Municipal Corporation : Rabindra Kr. Priyadarshi, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 03-10-2018

This writ petition has been filed by the petitioners for quashing the order dated 18.11.2008 passed by the Superintendent of Survey, Gaya in Appeal Case No. 1594 of 1994.

At the outset, Mr. Jitendra Prasad Singh, learned counsel for the petitioners sought leave to withdraw the instant application in order to file an appropriate suit before the civil court of competent jurisdiction for the relief prayed for in the instant application.

Learned counsel appearing for Gaya Municipal Corporation and respondent nos. 3 and 9 have raised no objection to the plea of the petitioner.

In view of the prayer made, leave is granted to the petitioners to withdraw the present writ petition with liberty to challenge the impugned order by way of filing suit before appropriate court in accordance with law.



The writ petition stands disposed of.

(Ashwani Kumar Singh, J.)

Sanjeet/Sksuman.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.10.2018
Transmission Date	NA

