

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6523 of 2015

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Chandan Kumar Yadav Son of Late Sadanand Yadav, Resident of Village-
Karari Tintanga, P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate-cum-Collector, Bhagalpur.
3. The Superintendent of Police, Bhagalpur.
4. The Officer-in-Charge, Gopalpur Police Station, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pandey
For the Respondent/s : Mr.Ga7-S.P.Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 24-04-2019 Having regard to the fact that after order of the LPA

Court in LPA No. 285 of 2013 dated 7.3.2013, the District

Magistrate has passed fresh order after hearing the parties.

The Court under the aforesaid circumstances, is not

inclined to entertain the writ petition particularly when the

statutory appellate forum is available where the petitioner can

raise the issue of fact as well as law.

Considering the aforesaid the writ petition is disposed

of with liberty to the petitioner to prefer appeal before the

Commissioner, Bhagalpur Division.

In case, such appeal is filed by the petitioner

alongwith a copy of this order within a period of one month



from today, the Commissioner shall pass appropriate order on the merit of the case after condoning the delay in filing the appeal as petitioner was pursuing remedy by way writ petition which remained pending for four years.

With the aforesaid liberty, the writ petition stands disposed of.

It is needless to state that Commissioner of the Division will take appropriate decision within a period of six months from the date of filing such appeal.

(Anil Kumar Upadhyay, J)

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