

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8367 of 2020

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1. Amar Kumar Gupta @ Amar Kumar S/o Late Kishunjee Prasad Both Residents of
 2. Ashok Kumar S/o Late Kishunjee Prasad Both Residents of

... .. Petitioner/s

Versus

1. The State of Bihar
2. District Magistrate, Siwan
3. Sub-Divisional Magistrate cum House Controller, Siwan Sadar
4. Circle Officer, Siwan Sadar
5. S.H.O. Town P.S., Siwan
6. Shailesh Kumar alias Munna, S/o Late Ramashankar Prasad, R/o Gaushala Road, North to Dr. B.L. Das Chauraha, Siwan

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Parth Gaurav
For the Respondent/s : Mr.Rewati Kumar Raman, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-10-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

The instant writ petition has been filed for quashing the order dated 12.09.2020 passed by the Sub-Divisional Magistrate cum House Controller, Siwan Sadar in Case No. 2/ 2020 whereby and whereunder, the S.H.O., Town and the C.O. Siwan have been directed to break open the lock of the shop in question and induct the respondent no. 6 herein so



that he can run the shop in a peaceful manner.

It is submitted that the said order dated 12.09.2020 has been passed without either issuing notice to the petitioners or hearing them.

After some arguments, the learned counsel for the petitioners seeks to withdraw the present writ petition with liberty to the petitioners to file appropriate appeal against the order dated 12.09.2020, before the appropriate forum/ court.

The learned counsel appearing for the State, Shri Rewati Kumar Raman, has got no objection.

Accordingly, the present writ petition stands disposed of as withdrawn, however, with liberty to the petitioners to file an appropriate appeal. It is further directed that, in view of the peculiar facts and circumstances of the case, the respondent authorities shall maintain status quo existing as on today qua the shop in question, for a period of three weeks from today.

(Mohit Kumar Shah, J)

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