

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2167 of 2022

Prashant Kumar Kashyap, Son of Sri Umashankar Singh Resident of Village-
Barashankar, P.S.- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Govt. of Bihar.
2. The District Magistrate, East Champaran, Motihari.
3. The Executive Officer, Nagar Parishad, Motihari, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate
For the Respondent/s : Mr. Subhash Pd. Singh, GA 3

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-03-2022

The petitioner has prayed for the following relief/s :-

I) For issuance of a writ in the nature of Certiorari for quashing of the Letter No 2314 dated 03-08-2018 issued under the signature of the Executive Officer, Nagar Parishad Motihari, East Champaran (Respondent No.-3) as contained in annexure-6 to this writ petition whereby and where under the Petitioner has been directed to stop the construction upon the roof of the building situated near sadar hospital, Rajendra Market and Karpuri Market Motihari, East Champaran till the further order of the District Collector, Motihari, East Champaran



- II) For the issuance of a writ in the nature of Mandamus commanding and directing the respondents to allow the Petitioner for making construction upon the roof of building situated near sadar hospital Rajendra Market and Karpuri Market, Motihari, East Champaran in terms of agreement dated 31-03-2018 contained in annexure-4 to this writ petition prepared in between the petitioner and the respondents concern.
- III) For any other relief/reliefs for which the petitioner is entitled from the facts and circumstances of the case.

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum or to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

It stands clarified that all issues of fact and law are left open to be agitated by the competent authority.

The petition is disposed of as withdrawn with



the liberty aforesaid.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	23.03.2022
Transmission Date	

