

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10372 of 2019

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Dhaneshwar Mahto Son of Brij Lal Mahto, Resident of Village- Rampur
Bishun, Police Station- Warisnagar, District -Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Department,
Government of Bihar, Patna.
2. The Chief Engineer, Power Grid Corporation of India Ltd., Muzaffarpur.
3. The Circle Officer, Warisnagar Block, P.S. Warisnagar, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Advocate
		Mrs. Nisha Singh, Advocate
For the Respondent/s	:	Mr. Abbas Haider, SC-6

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 22-11-2022 Petitioner has prayed for the following relief(s):-

1. That, this is an application for issuance of writ in the nature of mandamus for payment of compensation in lieu of the standing tree over raiyati land of the petitioner appertaining to Khata No. 331 (Old) / 42 (New), Khesra No. 1347 (Old) / 1862 (New) over which 145 Mahogani tree, 4 Semal tree, 15 bahrat tree worth about Rs. 20 - 25 lacs and after maturity estimated cost more than Karor rupies were cut by the respondent for erecting the 800 Kb by pol. HVDC, Saharsa, Gopalganj, Pareshan line. And also for any other appropriate writ/s, order/s, direction/s to the



respondent for which petitioner is entitled
under the fact and circumstances of the case.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies, as are otherwise available, in accordance with law.

Permission granted.

We are sure that as and when any such proceedings are initiated, before the appropriate forum, the same shall be considered and decided expeditiously, in accordance with law.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for the purpose of computing limitation.

It is made clear that we have not expressed



any opinion on merits. All issues are left open.

The petition stands disposed of as withdrawn
with the liberty aforesaid.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

P.K.P./Amrendra

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