

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 11288 of 2021

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Avinash Kumar S/o Akshay Paswan R/o Village- Khardihan, Near Tample,
Post- Chotaki- Chenari, P.S.- Shivsagar, Dist.- Rohtas (Sasaram), Pin-
821113.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Home Department,
Government of Bihar, Patna.
2. The Director General of Police- cum- I.G. of Police Bihar, Patna.
3. The D.I.G. of Police Muzaffarpur, Range, Muzaffarpur.
4. The S.S.P. of Muzaffarpur Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Ranjit Jha, Advocate
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 22-09-2022 Heard learned counsel for the petitioner and the
respondents.

For availing the remedy of appeal against the order
dated 02.06.2020, petitioner's counsel seeks permission to
withdraw this writ petition.

He, however, submits that on account of the
intervening lock down during pandemic and pendency of this
writ petition before this Court, the petitioner will be faced with
the issue of delay, if he approaches the appellate authority.

The learned State Counsel has also taken an objection
regarding filing of this writ petition without availing the remedy



of appeal. He has fairly submitted that there are directions of Hon'ble Apex Court in WP (Civil) No 3 of 2020 as regards condonation of delay before authorities during the lock down.

In view of the rival submissions, this Court would dispose of this writ petition with liberty to the petitioner to prefer an appeal before the appellate authority (Respondent No 3) within two weeks from today along with a copy of this order.

If such appeal is filed within two weeks from today, Respondent No 3 would be obliged to consider the same and dispose it of by a reasoned and speaking order, in accordance with law within a period of three months thereafter.

(Madhuresh Prasad, J)

M.E.H./-

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