

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16757 of 2021

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1. Ashwani Kumar S/o Gopal Mishra Resident of Shop No. 17, Market No. 2, Rajbansi Nagar, Phulwari, L.B.S. Nagar, Patna, Bihar- 800023.
 2. Dhananjay Kumar S/o Shyamnandan Sharma Resident of Shastrinagar, Rajbansi Nagar, Road No. 1 se 6, Patna, Bihar- 800010

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Government of Bihar, Patna.
2. The Executive Engineer, Patliputra Building Division Building Construction Department, Bihar, Patna.
3. The District Magistrate, Patna.
4. The Sub Divisional Officer, Patna City- cum- Special Officer, Agriculture Produce Market Committee (Dissolved) Mussalhpur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra, Advocate
For the Respondent/s : Mr. Sushil Kumar, GP22

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-08-2022

Petitioners have prayed for the following relief(s):-

“For setting aside the order contained vide Memo No. 52 dated 06.08.21 issued by S.D.O., Patna City cum Special Officer Agriculture Produce Market Committee (Dissolved) Mussallahpur, Patna (respondent no. 4) whereby and where under said



authority has cancelled the leased agreement/ allotment of the petitioners only on sole ground that (i) Medical Shop is being run on rent (petitioner no. 1) and (ii) Pathology House Agreement has not been renewed for several years (petitioner no. 2) corresponding to Case No. 17/2019 and Case No. 145/2019.”

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

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

Liberty reserved to the petitioners to take recourse to such other remedies as are otherwise available in accordance with law.

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



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

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

K.C.Jha/Kundan

AFR/NAFR	
CAV DATE	
Uploading Date	25.08.2022
Transmission Date	

