

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.726 of 2021

In

Civil Writ Jurisdiction Case No.13251 of 2021

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Broad Son Commodities Private Limited a Company incorporated under the provisions of the Companies Act, 1956 having its registered office at Dr. Himanshu Complex, Block Road, Koilwar Chouk, P.S. Koilwar, District Bhojpur (Ara), through its Director Ashok Kumar aged about 65 years (male), Son of Ram Chandra Saw, Resident of Village/Mohalla- Pareo, P.S. Bihta, District Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Commissioner-cum-Principal Secretary, Department of Mines and Geology, Government of Bihar, Vikas Bhawan, Bailey Road, Patna 800001.
2. The Principal Secretary cum Commissioner Mines, Department of Mines and Geology, Government of Bihar, Vikas Bhawan, Bailey Road, Patna-800001.
3. The Special Secretary cum Director, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
4. The Deputy Director, Mines and Geology, Bhojpur.
5. The District Magistrate-cum-Collector, Bhojpur.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. P.K. Shahi, Sr. Advocate Mr. Suraj Samdarshi, Advocate Mr. Rajan Prakash, Advocate Mr. Avinash Shekhar, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha, GA-7 Mr. Naresh Dixit, Spl. P.P. (Mines)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

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Date : 02-02-2022



The present Letters Patent Appeal has been filed under Clause 10 of Appendix E of the Letters Patent of the Rules of the High Court at Patna, 1916, against the judgment and order dated 08.12.2021 passed by a learned Single Judge of this Court in **CWJC No.13251 of 2021 titled as Broad Son Commodities Private Limited Vs. The State of Bihar & Ors.**

Sri P. K. Shahi, learned Senior Counsel appearing for the writ petitioner-appellant herein, states that writ petitioner-appellant herein be permitted to withdraw the main writ petition being **CWJC No.13251 of 2021 titled as Broad Son Commodities Private Limited Vs. The State of Bihar & Ors.**, for the grievances of the writ petitioner are to be redressed in terms of and under the remedies stipulated in the agreement, as per the law applicable and governing the parties to the *lis*.

We notice that in the analogous matters being **CWJC No. 13483 of 2021 titled as Broad Son Commodities Private Limited Vs. The State of Bihar & Ors.**, liberty already stands granted to withdraw the writ petitions listed before us.

The issue is similar in nature. As such the appellant-writ petitioner's prayer is allowed, clarifying that adjudicatory authority shall decide the *lis* uninfluenced of the observations made in the impugned judgment, for the same to



have been effaced with the withdrawal of the writ petition.

The appeal stands disposed of with the prayer
aforesaid.

Interlocutory Application, if any, shall stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

P.K.P./Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	08.02.2022
Transmission Date	

