

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22325 of 2019

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Sanni Kumar Son of Sanjay Kumar, Resident of Village and Post-
Ekangarsarai, Police Station- Ekangarsarai, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Nalanda.
2. The Chairman, District Board, Nalanda, Biharsharif.
3. The Deputy Development Commissioner-cum-Chief Executive Officer,
District Board, Nalanda.
4. The Secretary, District Board, Nalanda at Biharsharif.
5. The District Engineer, District Board, Nalanda.
6. Shankar Kumar Son of Late Yadu Mahto Resident of Village and Post-
Asarhi, Police Station- Hilsa, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Respondent/s : Mrs. Archana Meenakshee (GP 6)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-12-2022

Petitioner has prayed for following relief(s) : -

I. For that the present writ application is being filed for issuance of the appropriate writ/writs, orders or direction in the nature of mandamus for commanding and directing the respondents settle shop no.45 which is under construction in favour of the petitioner.

II. For quashing the illegal settlement of shop no.45 in favour of Shankar Kumar (respondent no.6).

III. And for the issuance of any other relief/reliefs for which the petitioner is entitled for to the fact and circumstances of the present case.



After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent to the appropriate authority i.e. respondent No. 5 namely The District Engineer, District Board, Nalanda venting out the grievances, subject-matter of the present petition.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present petition is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of three months from the date of its presentation.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.



Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

sujit/Ashwini/chn

AFR/NAFR	
CAV DATE	
Uploading Date	25.12.2022
Transmission Date	

