

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16116 of 2017

1. Vijay Prasad and Anr
2. Bigheshwar Prasad Both Sons of Ram Phal Sao Resident of Mohalla Kamruddinganj, Holding No. 425, Ward No. 24, P.O. and P.S. - Biharsharif, District - Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Biharsharif Municipal Corporation, Nalanda, P.S. - Biharsharif, District - Nalanda.
3. Sarswati Devi Wife of Late Paras Nath Gupta Resident of Mohalla - Kamruddinganj, P.O. and P.S. Biharsharif, District - Nalanda Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar, Advocate
For the Respondent/s	:	Mr. Yogendra Prasad Sinha -Aag7
For the BMC	:	Mr. Gyan Prakash Ojha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Biharsharif Municipal Corporation.

Learned counsel for the petitioner is aggrieved by an order dated 31.07.2017, passed by the Town Commissioner, Biharsharif, Municipal Corporation, Nalanda, whereby the name of the private respondent (Saraswati Devi) has been mutated with respect to House Bearing Holding No. 425, Ward No. 28 situated at Mohalla – Kamruddinganj, P.S.- Biharsharif, District- Nalanda.

Learned counsel for the petitioner very fairly submits



that a title appeal bearing Title Appeal No. 31 of 2016 is pending in the court of learned District Judge, Nalanda as the petitioner had lost the title suit bearing P.S. No. 177 of 2019, with respect to the plot in question.

The learned counsel next submits that in the event, the title appeal is decided in the favour of the petitioner then he will approach the competent authority for the relief claimed for in the present writ application and thus seeks permission to withdraw the present writ application.

Permission is accorded.

(Satyavrat Verma, J)

GauravSinha/-

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