

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6797 of 2023

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1. Md. Andaleeb Shadani @ Muhammed Andalib Shadani Son of Md. Hifzur Rahman Resident of Village and P.O.-Parveli, P.S.-Kadwa, District -Katihar
 2. Md. Hifzur Rahman Son of Late Abdul Karim Resident of Village and P.O.-Parveli, P.S.-Kadwa, District -Katihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Yojana and Development Department Cum 2nd Appellate Authority, Government of Bihar, Patna.
2. The principal Secretary, Statistical Department, Government of Bihar, Patna.
3. The Chief Registrar (Birth and Death), Government of Bihar, Patna.
4. The Divisional Commissioner-cum-1st Appellate Authority, Purnea, District-Purnea.
5. The District Magistrate, Katihar, District-Katihar.
6. The Sub-Divisional Officer, Katihar, District -Katihar.
7. The District Statistical Officer, Katihar, District -Katihar.
8. The Panchayat Secretary Cum Registrar (Birth and Death), Kadwa Block, District-Katihar
9. Block Statistical Observer, Kadwa Block, District-Katihar.
10. Shahid Raza Son of Late Abul Jabbar, Resident of Village and P.O.-Parveli, P.S.-Kadwa, District-Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Zeyaul Hoda, Adv.
For the Respondent/s : Mr.Anjani Kumar (AAG-4)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-11-2023 1. The present writ petition has been filed seeking the following reliefs:-

“1.(i) For issuance of a writ in the nature of Certiorari or any other appropriate writ for quashing of the order dated 07.03.2023 contained in Memo No. G.SA. 02/2023/285



issued under order and signature of Chief Registrar (Birth & Death)[respondent no. 3] whereby and whereunder he has upheld the order passed by a Divisional Commissioner cum 1st Appellate Authority, Purnea which is arbitrary and malafide.

(ii) For issuance of a writ in the nature of Certiorari or any other appropriate writ for quashing of the order dated 17.03.2021 passed by 1st Appellate Authority cum Commissioner, Purnea Division, District Purnea whereby and whereunder he has allowed the First Appeal filed on behalf of the respondent no. 7 on erroneous grounds and without verifying the facts which is arbitrary, malafide and against the law.

(iii) For issuance of a writ in the nature of Mandamus directing the respondents to cancel the death certificate issued by Panchayat Secretary cum Registrar (Birth and Death), (Respondent no. 5), Kadwa Block, District – Katihar.”

2. At the outset, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to avail such other alternative remedies as are otherwise available under the law, including that of filing a suit before the learned Civil Court having competent jurisdiction for redressal of their aforesaid grievances. Liberty



so sought is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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