

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15804 of 2015

Vibhuti Bhushan Jha son of Late Shubh Kant Jha, Resident of Mohalla-
Vishnupur Mishar Tola, P.S. and District - Begusarai, At present posted as
Chief Ticket Examiner, Patna Junction, E.C.R., Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Begusarai
3. The Chairman, Municipal Corporation, Begusarai
4. The Municipal Corporation, Begusarai through the Commissioner,
Begusarai Municipal Corporation, Begusarai
5. The Municipal Commissioner, Begusarai
6. The Additional Commissioner, Municipal Corporation, Begusarai
7. The Executive Officer, Municipal Corporation, Begusarai
8. Arun Kumar Thakur, Son of Late Ram Lakhan Thakur, Resident of
village/Mohalla- Vishnupur, Mishra Toal, Ward No. 39, P.S. and District-
Begusarai

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Barun Kumar Choudhary, Advocate
For the Respondent/s : Mr. Sanjeet Kumar Singh, AC to AAG-6

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 14-02-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

By order dated 29.04.2019 notices were issued upon
the respondent no. 5 i.e. the Municipal Commissioner,
Begusarai but it appears that in compliance of the said order
notices were not filed by the learned counsel for the petitioner,
as such, the writ application with respect to respondent no. 5
stood dismissed for non-compliance of the aforesaid order dated
29.04.2019.



Learned counsel for the State submits that respondent no. 5 is a necessary party and in his absence no direction can be issued, as the petitioner in the writ petition seeks a direction upon the respondent no. 5 to comply the order dated 26.07.2013 in Case No. 05 of 2011 passed by him.

Learned counsel for the petitioner at this stage seeks permission to withdraw the writ application and submits that since the writ application was filed seeking a direction upon the Municipal Commissioner, Begusarai to implement his own order which for reasons best known to him was not implemented, as such, he may be given liberty to move afresh.

Considering the submission made by the learned counsel for the petitioner, the writ application is permitted to be withdrawn with the liberty aforesaid.

Accordingly, the writ application is dismissed as withdrawn.

(Satyavrat Verma, J)

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