

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16412 of 2024

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Prahlad Singh @ Prahalad Singh S/o Late Jago Singh Resident of English,
Ward No.4, Vidyapeeth, P.S. Lakhisarai, District Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue, Government of Bihar, Old Secretariat, Patna.
2. The Collector, Lakhisarai.
3. The Additional District, Collector, Lakhisarai.
4. The Circle Officer, Lakhisarai.
5. Kundan Kumar Sharma S/o Sri Dayanand Sharma Resident of Village-Ram Chandrapur, P.S. Pipariya, Dist. Lakhisarai, Prop. Prabhansu Infra, Pvt. Ltd., Gayatri Nagar, Ward No.3, Anchal and District Lakhisarai as Power of Attorney Holder of Sawal Ram Drollia, S/o Late Nandlal Marwari, Resident of Purani Bazar, Lakhisarai, P.S. and Dist.-Lakhisarai.
6. Akash Kumar S/o Ram Ratan Singh Resident of Village-Lakhisarai, P.S. Barahiya, Dist.-Lakhisarai.
7. Deepak Kumar S/o Late Baleshwar Singh Resident of Village-Ramchandrapur, P.S. Pipariya, Dist.-Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amit Shrivastava, Sr. Advocate Mr. Vijay Anand, Advocate
For the Respondent/s	:	Ac to SC-4

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-10-2024 Heard learned Senior Counsel for the petitioner and
the learned AC to SC-4.

2. The learned Senior Counsel for the petitioner submits that the instant writ application has been filed seeking quashing of the order dated 06.05.2024 passed by the learned ADM, Lakhisarai in Jamabandi Cancellation Case No.98/2022-23 whereby Jamabandi No.297 issued in favour of the petitioner



was cancelled merely on the ground that they have failed to produce the order creating Jamabandi in their favour based on an application of respondent no.5 who is the power of attorney holder of Sawal Ram Drolia.

3. The learned AC to SC-4 at the outset submits that the petitioner has directly moved this Court seeking quashing of the order passed by the learned ADM without availing his remedy of appeal before the Collector in terms of the Mutation Act, on which the learned Senior Counsel appearing on behalf of the petitioner seeks permission to withdraw the writ application with liberty to avail his remedy of appeal before the Collector in accordance with law, in the event, if appeal is filed before the Collector on or before 25.11.2024, the Collector while considering the issue of limitation shall keep in mind that the petitioner had approached this Court and the case remained pending for sometime.

4. Permission is accorded.

5. Accordingly, the writ application is dismissed as withdrawn.

(Satyavrat Verma, J)

Prakash Narayan

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