

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16934 of 2024

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Anju Kumari W/o- Dinesh Kumar Safi R/o Ward No.- 11, Village- Bardepur,
P.O.- Pursaulia, P.S.- Kaluahi, Dist.- Madhubani, Bihar- 847226.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Social Welfare Department, Govt. of Bihar.
2. The District Magistrate, Madhubani.
3. The District Program Officer (I.C.D.S.), Madhubani.
4. The Sub- Divisional Magistrate (S.D.M.), Madhubani.
5. The C.D.P.O., Kaluahi, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Prasad, Advocate Mr. Kamal Kishor Kumar, Advocate
For the Respondent/s	:	Mr. Deepak Kumar, Advocate Mrs. Divya Verma, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-11-2024 Mr. Ajay Kumar Prasad, learned Advocate for the petitioner, after some arguments fairly contended that against the order impugned dated 21.03.2024, passed by the District Program Officer (I.C.D.S.), Madhubani, the petitioner had already preferred appeal, which is pending before the District Magistrate, Madhubani.

2. Learned Advocate for the State, at the outset, submits that since the petitioner has already preferred appeal, the writ petition, at present, is not maintainable, as the petitioner cannot be allowed to invoke the jurisdiction of this Court under Article 226 of the Constitution of India, since the appeal is



pending before the appropriate authority.

3. At this stage, learned Advocate for the petitioner seeks permission to withdraw the writ petition with a liberty to pursue the pending appeal.

4. The writ petition stands dismissed as withdrawn with the liberty aforesaid.

(Harish Kumar, J)

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