

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.138 of 2020

In
Civil Writ Jurisdiction Case No.2449 of 2019

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Shyam Nandan Prasad son of Late Govind Prasad, Resident of Village-
Nowagarhi Devi Asthaan, P.o.- Chand Chwra, Police Station- Vishnupad,
District- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing, Govt. of Bihar, Patna
2. The District Magistrate, Gaya
3. The Senior Superintendent of Police, Gaya
4. The Special Executive Officer, Sadar, Gaya
5. The Sub-Divisional Officer, Sadar, Gaya
6. The Sub-Divisional Police Officer, City, Gaya
7. The Circle Officer, City, Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Jitendra Prasad Singh, Sr. Advocate Mr. Rajeev Kumar, Advocate Mr. Varun Krishna Singh, Advocate
For the State	:	Mr. Yogendra Prasad Sinha, AAG 7

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

5 01-05-2025 Appellant has assailed the order of the learned Single Judge dated 11.02.2019 passed in CWJC No. 2449 of 2019. Having regard to the relief sought in the aforementioned writ proceedings, the petitioner did not apprise the learned Single Judge to the extent that he had a civil remedy before the concerned trial court in view of the disputed issue, the same was



not apprised. Therefore, appellant is seeking to withdraw the present LPA No. 138 of 2020 and seeking liberty to invoke remedy before the civil court. The same cannot be examined in LPA for the reasons that rightly or wrongly learned Single Judge has passed order on merits, therefore, appellant has remedy of filing civil review in CWJC No. 2449 of 2019.

2. Accordingly, present LPA No. 138 of 2020 stands disposed of reserving liberty to the appellant to file civil review before learned Single Judge.

3. Pending I.A., if any, stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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