

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6023 of 2015

Most. Navrani Devi W/o Late Laldeo Singh resident of New Area, P.O. P.S.
and District Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector cum District Magistrate, Aurangabad
3. The Sub Divisional Officer, Aurangabad.
4. Sri Rampukar Prasad S/o Om Prakash Prasad resident of village - Malpa,
P.S. Guraru, District gaya Presently residing at New Area, P.O., P.S. and
District- Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sushil Kumar Singh, Adv
For the State	:	Mr. Kamlesh Kumar, AC to SC-12
For Res. No. 4	:	Mr. Abhay Kumar, Adv Mr. J.K. Bharti, Adv Mr. Sudhir Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

15 18-07-2025 Heard learned counsel for the petitioner, learned

counsel appearing for respondent no. 4 and learned counsel

appearing for the State.

2. With the consent of both the parties, this writ
application is being disposed of at the present stage itself.

3. The petitioner had filed this writ application for
issuance of writ on mandamus to restrain the operation of the
order contained in Memo No. 19 dated 20.02.2015. This relief
was claimed without challenging the order contained in Memo
No. 19 dated 20.02.2015 and hence at the time of filing of writ
application itself, this writ was not maintainable.

4. However, subsequently the petitioner vide
interlocutory application bearing I.A. No. 4683 of 2015 made



prayer for additional relief to be considered as part of the main prayer of the writ application and the additional relief being sought for by the petitioner was for quashing of the order contained in Memo No. 19 dated 20.02.2015. When this interlocutory application was taken up for disposal on 20.06.2025, it was brought to the notice of the Court that as against this order dated 20.02.2015, the petitioner had filed a Misc. Appeal No. 53 of 2019 before the Collector, Aurangabad which also stands dismissed vide order dated 10.12.2019. The petitioner thereafter again filed another interlocutory application bearing I.A. No. 04 of 2025 with a prayer for challenging the order dated 10.12.2019 dismissing the Misc. Appeal filed by the petitioner.

5. It is thus apparent that the petitioner in order to maintain the present writ application, is indulging in filing one interlocutory application after another which amounts to doing patchwork.

6. Learned counsel for the petitioner, therefore, prays that he may be permitted to withdraw the present writ application with liberty to challenge the order contained in Memo No. 19 dated 20.02.2015 passed by Sub-Divisional Officer, Aurangabad and also the final order dated 10.12.2019



passed in Misc. Appeal No. 53 of 2019 by the Collector, Aurangabad by filing a fresh writ application.

7. To the aforesaid prayer being made by learned counsel for the petitioner, the respondents do not have any objection.

8. Under the aforesaid facts and circumstances, the present writ application is allowed to be withdrawn by petitioner with liberty to challenge the order contained in Memo No. 19 dated 20.02.2015 issued by the Sub-Divisional Officer, Aurangabad, its consequential orders and final order dated 10.12.2019 passed in Misc. Appeal No. 53 of 2019 and its consequential orders by filing a fresh case before the appropriate authority/forum/court. If the petitioner approaches the appropriate forum for remedy, the delay, if any, in filing such a case shall be condoned and the case of the petitioner shall be heard on merit.

9. With the aforesaid liberty granted to the petitioner, the present writ application is dismissed as withdrawn.

(Alok Kumar Sinha, J)

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