

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11879 of 2025

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Nripati Prasad Akela Son of Late Parmeshwr Mandal @ Permeshwar Mandal,
resident of at Ramlal Singh Lane, Kutubganj, Tiwari Tola, P.O.- Mirjanhat,
P.S. Babarganj, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary Government of Bihar, Patna.
2. The District Magistrate, Bhagalpur.
3. Deputy Development Commissioner, Bhagalpur.
4. Additional Collector, Aapda Prabandhan, Bhagalpur.
5. Additional Collector (Revenue), Bhagalpur.
6. Sub-Divisional Officer, Kahalgaon, District- Bhagalpur.
7. Acting Officer, District Establishment Branch, Bhagalpur.
8. District Transport Officer-cum-Senior Officer, Block and Circle Office,
Sanhaulla, District- Bhagalpur.
9. Senior Treasury Officer, Bhagalpur.
10. The Block Development Officer, Sanhaulla, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj Nandan Prasad, Advocate
For the Respondent/s : Mr.Standing Counsel (06)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for
quashing Memo No. 173 dated 04.02.2025 issued by the District
Magistrate, Bhagalpur, and its consequential letter dated
24.05.2025 issued by the Block Development Officer,
Sanhaulla. The petitioner has also sought quashing of Letter No.
3974 dated 07.09.2024 issued by the Senior Treasury Officer,



Bhagalpur.

3. Learned counsel for the petitioner submits that the impugned order has been passed by the Collector under the Rules of Executive Business.

4. Learned counsel for the State has raised a preliminary objection, submitting that under the Rules of Executive Business, an order passed by the District Magistrate is appealable before the superior authority, i.e., the Divisional Commissioner of the concerned division.

5. In this background, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to avail the remedy before the Divisional Commissioner concerned.

6. Permission, as prayed, is granted.

7. Petitioner shall move before the Divisional Commissioner concerned within 30 days from today along with a copy of this order. The delay, if any, in filing the appeal, shall not come in the way of the petitioner in filing the appeal.

(Dr. Anshuman, J)

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