

(2024) 05 JH CK 0035
In the Jharkhand High Court
Case No : Writ Petition (C) No. 783 Of 2024

Jihur Mahto

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 09-05-2024

Acts Referred:

Citation : (2024) 05 JH CK 0035

Hon'ble Judges : Ananda Sen, J

Bench : Single Bench

Advocate : Sunil Singh, Sreenu Garapati

Final Decision : Dismissed

Judgement

Ananda Sen, J

1. Learned counsel representing the petitioner submits that he has received the Counter Affidavit filed on behalf of respondent Nos.2 to 4, and from the Counter Affidavit it is gathered that the respondents are questioning the title of the petitioner over the land in question, upon which the water tank has been constructed.

2. He submits that considering the stand taken by the State in the Counter Affidavit, challenging the title of the petitioner, he may be given a liberty to approach the Civil Court of appropriate jurisdiction claiming right, title and interest and for recovery of possession on the portion of the land from which he has been dispossessed.

3. He prays that he may be permitted to withdraw this writ petition with the aforesaid liberty to file the suit.

4. The State has got no objection.

5. Considering the submission, this writ petition is permitted to be withdrawn granting liberty to the petitioner to approach the appropriate Civil Court with the

relief as claimed for.

6. Accordingly, the present writ petition is dismissed as withdrawn with the aforesaid liberty.