
(2020) 01 JH CK 0063
In the Jharkhand High Court
Case No : Writ Petition (C) No.5356 of 2013

Lal Pravir Nath Shahdeo

APPELLANT

Vs

State of Jharkhand And Ors

RESPONDENT

Date of Decision : 31-01-2020

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2020) 01 JH CK 0063

Hon'ble Judges : Sujit Narayan Prasad, J

Bench : Single Bench

Advocate : Ajay Kr. Singh, Satyendra Kumar Singh, Mukhtar Kha, Vishal Kr. Rai, Laxman Kumar, Manish Kumar

Final Decision : Disposed Of

Judgement

This writ petition is under Articles 226 & 227 of the Constitution of India whereby and whereunder the letter dated 04.04.1979 as contained under Annexure-6 by which 580.88 acres of land has illegally been transferred to the Indian Council of Agricultural Research on the basis of notification No.54 dated 27.12.1975 which according to the petitioner has been transferred by showing the land under the fold of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961.

Mr. Ajay Kr. Singh, learned counsel for the petitioner, in course of argument, has submitted that with respect to 49 acres of land said to have been transferred illegally and by committing fraud is the subject matter of title suit pending in the competent court of civil jurisdiction, Ranchi.

After some arguments, learned counsel for the petitioner seeks permission to withdraw the instant writ petition with a liberty to file civil suit pertaining to the land which is the subject matter of the present writ petition.

Mr. Mukhtar Khan, learned counsel for the proposed intervenor who has filed application on behalf of one of the legal heir has also supported the version of

the learned counsel for the petitioner.

None appears for the State of Jharkhand.

Mr. Laxman Kumar, learned counsel is present to represent the Union of India.

This Court, after having heard the learned counsel for the petitioner and considering the submissions, is allowing the prayer for withdrawal of the writ petition.

In view thereof, the instant writ petition is dismissed as withdrawn with the liberty to the petitioner to agitate the grievance before the competent court of civil jurisdiction, if the petitioner so wishes.

The petitioner will be at liberty to raise the question of limitation which shall be taken into consideration by the concerned court in accordance with law.

I. A. No.1735 of 2016 also stands disposed of.