

Ashish Kumar Panda Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Dec-10-2012

Appellant : Ashish Kumar Panda

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Girish Shrivastava

Judgement :

W.P.No.19877/2012 10.12.2012 Shri Girish Shrivastava, learned counsel for the petitioners. Heard on the question of admission.

The petitioners have filed this petition under Article 226 of the Constitution of India for issuing appropriate writ in the nature of Mandamus directing the authority of respondent No.3 - Tahsildar to submit the report to draw final decree to the Executing Court following the basic principle of law to settle the purchasers in the portion of their occupation.

In the course of arguments on admission in response of some query of the court based on Section 44 and Section 50 of the M.P. Land Revenue Code as well as Section 47 of the CPC instead to argue further, the petitioners' counsel seeks permission to withdraw this petition with liberty to file appropriate application before the Executing Court (Civil Court) under Section 47 of the CPC as well as appropriate proceeding before the Tahsildar as well as before Revisional/Appellate Authority of the Revenue Sector to challenge the disputed order mentioned in this

petition.

He also seeks liberty to file appropriate petition or the application before the appropriate forum to take the cognizance of Contempt of Court against the concerning person who had violated the order/decreed of the Civil Court.

Considering such prayer the petition is hereby dismissed as withdraw with liberties, aforesaid.

C c as per rules.

(U.C.Maheshwari) Judge bks

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