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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

WP-19568-2024

BEFORE
HON'BLE SHRI JUSTICE G. S. AHLUWALIA

ON THE 23rd OF AUGUST, 2024

WRIT PETITION No. 19568 of 2024

BIHARI KOL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Sourabh Singh Thakur - Advocate for the petitioners.

Shri Abhishek Singh - Government Advocate for the respondents/State.

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ORDER

This petition under Article 226 of Constitution of India has been filed seeking following reliefs:

"i. That this Hon'ble Court may kindly be pleased to direct the respondents no.2 and 3 not to remove the petitioners from their respective possession in rainy seasons;

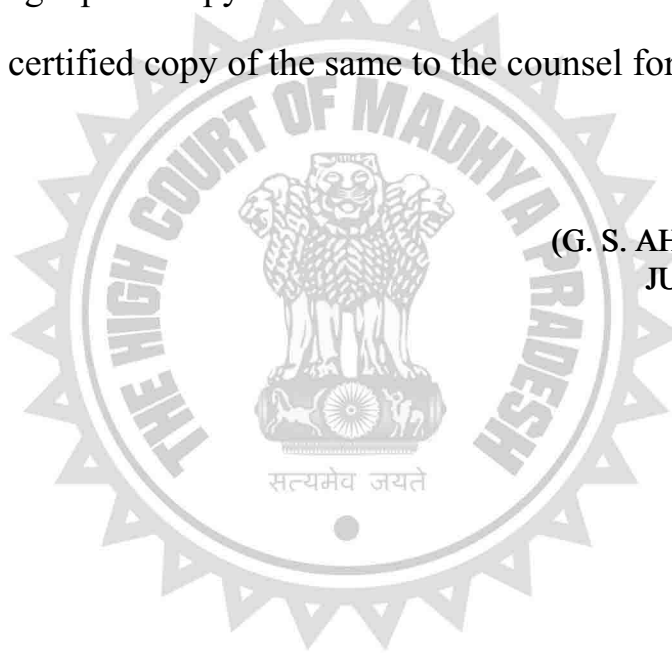
ii. That a writ in the nature of certiorari be issued to quash the impugned order dated 05/096/2024 passed by the respondent no.2 contained in Annexure P-4 in respect of some of the petitioners;

iii. That a writ in the nature of certiorari be issued to quash the eviction notice dated 10/06/2024 passed by the respondent no.2 contained in Annexure P-1;

iv. Any other relief flowing from the facts and circumstances of the case may please be awarded along with the costs of the proceedings to meet the larger interest of justice."



2. It is fairly conceded by counsel for petitioners that the order under challenge is an appealable order, therefore, he seeks permission of this Court to withdraw this petition with liberty to avail the statutory remedy available to the petitioners.
3. With aforesaid liberty, the petition is **dismissed as withdrawn**.
4. Needless to mention that while calculating the period of limitation, time spent by petitioners before this Court i.e. from 15.07.2024 till today shall be excluded.
5. On filing a photocopy of order filed as Annexure P/4, office is directed to return the certified copy of the same to the counsel for petitioners.



(G. S. AHLUWALIA)
JUDGE

SR*