## IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITON NO. 109/2004

WRITE PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT OF CERTIORARY, MANDAMUS, ETC. AND FOR FURTHER APPROPRIATE DIRECTIONS OR ORDERS.

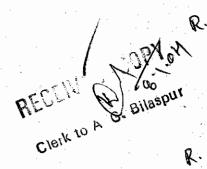
**PETITIONERS** 

Anil Kumar Lunia S/o.Shri Dharam Chand Lunia, aged about 35 years, Proprietor of Anil Traders, H-110 Padmanabhpur, District -Durg (C.G.)

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## **VERSUS**

RESPONDENTS



1. State of Chhattisgarh through the Secretary, Forest Department,

Mantralaya, D.K.S. Bhawan, Raipur (C.G.)

2. Secretary, Department of Revenue, Mantralaya, D.K.S. Bhawan, Raipur (C.G.)

3. Conservator of Forest, Kanker

(North Bastar), Kanker (C.G.).

4. Divisional Forest Officer,

Bhanupratappur Division, Bhanupratappur.

5. The Range Officer, Bhanupratappur

 $\varrho$  . East, Forest Division, Bhanupratappur.

आदेश पत्रक (140) भामला क्रमांक सन् 200\*

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## 30/07/2004

Shri Prafull Bharat, coursel for the petitioner.

Shri Sumesh Bajaj, Deputy Government Advocate for the State.

Heard on I.A.No.2993/2004 whereby the counsel for the petitioner has moved an application that he may be allowed to withdraw this writ petition.

Counsel for the State has objection in allowing this application on the ground that the petitioner has already filed a Civil Suit in which he has obtained the stay. Therefore, he cannot be allowed to withdraw this writ petition and it should be dismissed.

It is the settled law that the petitioner is the master of the petition and he can withdraw the petition whenever he wants. In this case the petitioner is not seeking any liberty. Moreover, as per the statement of the counsel for the respondent/State that the petitioner has already filed the Civil Suit, on that ground also the petitioner has availed the other remedy available to him under the law.

I.A.No.2993/2004 is allowed.

The writ petition is dismissed as withdrawn.

Sd/-L.C. Bhadoo Judge

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