

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 17326 of 2017
(Arising out of SLP(C) No.25126 of 2017)

MD. MAHBUB

Appellant (s)

VERSUS

THE STATE OF BIHAR & ORS.

Respondent(s)

O R D E R

Leave granted.

We have heard learned counsel for the parties.

We are of the view that the order passed in writ jurisdiction cannot be sustained as the matter is pending in the civil court. The remedies of the parties can be worked out in the civil court.

Accordingly we set aside the impugned order and allow the appeal.

.....J.
(ADARSH KUMAR GOEL)

.....J.
(UDAY UMESH LALIT)

New Delhi,
October 27, 2017.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 25126/2017

(Arising out of impugned final judgment and order dated 26-07-2017
in LPA No. 483/2015 passed by the High Court Of Judicature At
Patna)

MD. MAHBUB

Petitioner(s)

VERSUS

THE STATE OF BIHAR & ORS.

Respondent(s)

(With Interim Relief and IA No.94128/2017-EXEMPTION FROM FILING
O.T.)

Date : 27-10-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE UDAY UMESH LALITFor Petitioner(s) Mr. Vivek Singh,Adv.
Ms. Udit Singh, AORFor Respondent(s) Mr. Gopal Singh,AOR
Ms. Shreya Tyagi,Adv.Mr. Nitin Kumar Thakur,Adv.
Ms. Urmiljeet Kaur,Adv.UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

In terms of the signed order, the the appeal is allowed.

Pending applications, if any, shall also stand disposed
of.(MAHABIR SINGH)
COURT MASTER(PARVEEN KUMARI PASRICHA)
COURT MASTER

(Signed order is placed on the file)