

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 6857 of 2023

Petitioner :- Kapil Deo Patel And 2 Others

Respondent :- Manoj Kumar Singh And 7 Others

Counsel for Petitioner :- Shyam Narayan Verma

Hon'ble Jayant Banerji, J.

Heard learned counsel for the petitioners.

This petition has been filed with the following prayer:-

"i. to issue a well worded direction in supervisory nature which may guide the concerned learned court on the principle of law and procedure of impleadment as afford convenience to the justice.

ii. to direct the respondent no.1 to pass the appropriate order on the impleadment application dated 22.9.2022 moved by petitioners and implead the petitioners as respondent no. 7,8, 9."

The aforesaid petition has been filed by the impleadment-applicant in Original Suit No. 2944 of 2021 (Manoj Kumar Singh and another Vs. Shitla Prasad and others) that was filed in the court of Civil Judge (Junior Division), Hawali, Varanasi on 20.11.2021.

It appears that one of the plots in dispute has been transferred to the petitioners, who have moved an application under Order 1 Rule 10 read with Section 151 CPC seeking impleadment which appears to be numbered as paper No. 16A.

After arguing for some time, learned counsel for the petitioners states that he may be permitted to withdraw this petition as the petitioners will pursue their remedy before the trial court itself.

As prayed, this petition is **dismissed**.

Registrar (Compliance) is required to send a copy of this order to the court concerned within fifteen days.

Order Date :- 19.10.2023

sfa/

(Jayant Banerji, J)