

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9371 of 2023

Petitioner :- Shyam Sundar Vishwakarma

Respondent :- Krishna Devi And 12 Others

Counsel for Petitioner :- Ajay Kumar Giri, Surendra Kumar

Hon'ble Jayant Banerji, J.

This petition has been filed seeking the following relief:-

"(a) To issue an order or direction to set aside the impugned judgment and order dated 31.07.2023 passed by Learned Additional District Judge/Fast Tract Court *14th Finance Commission), Varanasi in Civil Revision No.111 of 2022 (Bittan Devi and others Versus Krishna Devi and others) as well as the order dated 22.08.2022 passed by IX Additional Civil Judge (Junior Division) in Miscellaneous Suit No.09 of 1997 (Krishna Devi Versus Purushottam) within stipulated period."

It appears from the record that neither the preliminary decree nor the application 98-C has been enclosed with this petition.

At this stage, learned counsel for the petitioner prays that he may be permitted to withdraw this petition with liberty to file a fresh after making necessary averments and enclosing all requisite documents.

This petition is, accordingly, **dismissed** as withdrawn with liberty to file a fresh petition within fifteen days from today, after making necessary averments and enclosing all requisite documents, including the certified copy of the documents mentioned above.

Certified copy of the document shall be returned to the learned counsel for the petitioner as per rules after retaining photocopy of the same on record.

Order Date :- 29.11.2023

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(Jayant Banerji, J.)