

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.160 of 2003

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Bhawanad Jha & Ors

.... Appellant/s

Versus

Shankara Nand Jha & Ors

.... Respondent/s

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Appearance :

For the Appellants : Mr. Tanuja Mishra, Advocate.

For the Respondent no.13 : Mr. Sheo Nandan Mishra, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

20 18-09-2015

I.A. No.7580 of 2015:

Heard learned counsel for the appellants and learned counsel for the respondent no.13.

This Interlocutory Application No.7580 of 2015 has been filed on behalf of the appellants under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure to withdraw this First Appeal due to compromise in between the parties.

Learned counsel for the appellants submits that the parties have settled their dispute in the partition matter and, accordingly, filed an application in course of preparation of decree to withdraw Title Suit No.16 of 1988 and, accordingly, the same was dismissed as withdrawn by the trial court vide order dated 19.08.2010, and now, the appellants do not want to proceed with this First Appeal No.160 of 2003.

Learned counsel for the respondents also submits that the dispute has already been settled in between the parties and an application was filed in course of preparation of decree, to withdraw Title Suit No.16 of 1988, which has been dismissed as withdrawn by the trial court vide order dated 19.08.2010.

In that view of the matter, this First Appeal is dismissed as withdrawn and, accordingly, I.A. No.7580 of 2015 is disposed of.

(Rajendra Kumar Mishra, J)

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