

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.789 of 2016

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Mrs. Subha Mishra alias Chanchal Kumari, daughter of late Kamlakant Mishra,
resident of village Gandhi Cooperative Road, New Etwarpur, P.O. Kurthoul, P.S.
Parsa Bazar, District Patna

.... Appellant

Versus

Neeraj Kumar Pathak, son of Sri Parshuram Pathak, resident of village New Area,
Jakkanpur, Near Laxmi Market, P.O. Gardanibagh, P.S. Jakkanpur, District Patna

.... Respondent

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Appearance :

For the Appellant/s : Mr. Pankaj Maijorwar, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 02-09-2016

Sri Pankaj Maijorwar (A.O.R. No. 02513),

learned counsel for the appellant states that this appeal was
filed against the ex parte judgment and decree dated
24.01.2014 dissolving the marriage having been passed in
Matrimonial Case No. 215 of 2012. The judgment and decree
was ex parte and, as such, an application under Order IX Rule
13 C.P.C. has also been filed in the court below for recall of
the decree and rehearing the matter. In that view of the matter,
in order to pursue the application under Order IX Rule 13
C.P.C., this appeal is being withdrawn.

In view of the aforesaid, leave is granted.

This appeal is allowed to be withdrawn and disposed of as such.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

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