

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.147 of 2012

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1. The State Of Bihar Through The Chief Secretary, Government Of Bihar, Patna
 2. The Secretary, Minor Irrigation Department, Govt. Of Bihar, Patna.
 3. The Industrial Development Commissioner, Govt. Of Bihar, Vikash Bhawan, Patna.
 4. The Additional Secretary, Minor Irrigation Department, Govt. Of Bihar, Vikash Bhawan, Patna.
 5. The Chief Engineer, Minor Irrigation Department, Govt. Of Bihar, Patna.
 6. The Superintending Engineer, Minor Irrigation Department, Govt. Of Bihar, Patna.
 7. The Executive Engineer, Minor Irrigation Department, Govt. Of Bihar, Patna.

.... Appellant/s

Versus

1. M/S Shakti Tubes Limited, 401, Kashi Palace, Dak Bungalow Road, Patna, Through Its Director Sri Dilip Kumar Churiwal S/O Sri Bishwanant Churiwal R/O 52, Kaveri Apartment, Bader Bagicha, P.S- Kotwali, District- Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar, Advocate.

For the Respondent/s : Mr. Kundan Bahadur Singh, A.C. to SC 22

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

24 18-07-2016 I.A. No. 2781 of 2016 filed on behalf of the appellants
has been pressed.

Heard learned counsel for the appellants and the
learned counsel for the respondent.

It is submitted on behalf of the appellants that the
parties to the appeal have amicably settled the dispute out side the
court, in pursuance thereto a memorandum of agreement was
prepared under which Mr Dilip Kumar Churiwal, the Director M/S

Shakti Tubes Ltd. has been paid a sum of Rs. 3,11,00,000/- through the Banker's cheque on 14.03.2016 and the parties to appeal have also signed the deed of agreement. The terms of settlement has been signed and filed by Dilip Kumar Churiwal, the Superintending Engineer, Minor Irrigation Department, Bihar, Patna on 14.03.2016 in the court of the learned Sub. Judge-II, Patna in Execution Case No. 11 of 2012.

In view of terms of settlement now the appellants do not want to continue this First Appeal and as such the appellants may be permitted to withdraw this appeal for which the respondent has got no objection. It is also submitted that the execution case has already been dismissed in full satisfaction.

Sri Kundan Bahadur Singh, the learned A.C. to S.C-22 submits that in view of the settlement arrived at between the parties; the appellants do not want to continue this appeal.

Accordingly, the appellants are permitted to withdraw this appeal.

In the result, this First Appeal is dismissed as withdrawn.

(Jitendra Mohan Sharma, J)

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