

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19268 of 2015

=====

Alakha Niranjana Ram & Anr

.... Petitioner/s

Versus

Most. Ram Sigari Kuwar & Ors

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Satyendra Pandey

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 30-06-2016

Learned counsel, Mr. Om Prakash Pandey, appearing

for the petitioners submitted that, in fact, by mistake this writ application has been filed instead of filing miscellaneous appeal under Order 43 Rule 1 C.P.C. as the Miscellaneous Case No. 42 of 2008 filed by the petitioners under Order 9 Rule 9 C.P.C. was dismissed, which was filed for restoration of title suit dismissed for default. Therefore, he seeks permission to withdraw this writ application with liberty to file appeal before the appropriate forum.

2. In view of the submission, this writ application is permitted to be withdrawn with liberty to the petitioners to file appeal against the impugned order before the appropriate forum. Accordingly, with the aforesaid liberty, this writ application is dismissed as withdrawn.

(Mungeshwar Sahoo, J)

brajesh/-

U			
---	--	--	--