

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.898 of 2016**

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Ramdhari Mishra & Ors
..... Appellant/s

Versus

Badhnath Mishra & Anr
..... Respondent/s

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Appearance :
For the Appellant/s : Mr. Gopal Govind Mishra
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 25-10-2016 After some argument learned counsel for the petitioners seeks permission to withdraw this civil miscellaneous application with liberty to file appropriate fresh application before the court below under Section 4(b) or 4(c) of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956.

Without expressing on the merit of this case, in view of the submission of learned counsel for the petitioners, the petitioners are permitted to withdraw this civil miscellaneous application with liberty to file the application as prayed for before the court below and if such application is filed, the court below is directed to decide it on merit.

Accordingly, this civil miscellaneous application is dismissed as withdrawn with the aforesaid liberty.

Harish/-

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(Mungeshwar Sahoo, J)