

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2574 of 2016

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Smt. Ram Bachan Devi & Ors

.... Petitioner/s

Versus

Smt. Chintamani Devi @ Sachita Devi & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 30-03-2016 After some argument, the learned counsel, Mr. Ishwari Singh, for the petitioner seeks permission to withdraw this writ application to raise all these issues including issue of res judicata at the time of final argument of the suit as the evidence is going on and the question of res judicata is raised for deciding it as preliminary issue which is dependent on the facts and evidence of the case.

In view of the above submission of the learned counsel for the petitioner, the petitioner is permitted to withdraw this writ application to raise all these points which are being raised in this writ application before the Court below at the time of hearing / argument of the suit.

Thus, this writ application is dismissed as withdrawn with the aforesaid liberty.

(Mungeshwar Sahoo, J)

Sanjeev/-

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