

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12137 of 2015

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1. Chandra Shekhar @ Chandra Shekhar Yadav @ Jhingur Yadav Son of Late Ramdeo Yadav
2. Kari Yadav Son of Late Ramdeo Yadav Both residents of Village Bahadurpur, P.S. Alouli, District - Khagaria.

.... Petitioner/s

Versus

1. The Registrar, Civil Court, Khagaria.
2. Ram Prabesh Malakar Son of Late Bindeshwari Malakar Resident of Village and P.O. Bahadurpur, P.S. Alouli, District Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 03-05-2016 After some arguments, learned counsel for the petitioners submitted that since Miscellaneous Case arising out of an application under Order 9 Rule 13 CPC has been rejected by the Court below, the impugned order is appealable under Order 43, Rule1(d) CPC. Therefore, he may be permitted to withdraw this writ application with liberty to file an appeal before an appropriate forum.

In view of the aforesaid submission of learned counsel for the petitioners, this Writ application is dismissed as withdrawn with liberty to the petitioners to file an appeal before an appropriate forum in accordance with law.

(Mungeshwar Sahoo, J)

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