

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17434 of 2015

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Shyamanand Thakur & Anr

.... Petitioner/s

Versus

Dayanant Thakur & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 23-06-2016

The learned counsel, Mr. Rajeev Ranjan Jha, for the petitioner submitted that since by the order dated 09.07.2015, the learned Sub Judge-I, Benipur, Darbhanga had rejected the plaint of Title Suit No.218 of 2013 under Order VII Rule 11(a) CPC, it is a decree within the meaning of Section 2(2) CPC but by mistake writ application has been filed. Therefore, he seeks permission to withdraw this writ application with liberty to file appeal according to law.

In view of the submission of the learned counsel for the petitioner, this writ application is permitted to be withdrawn with liberty to file the appeal according to law.

Thus, this writ application is dismissed as withdrawn with the aforesaid liberty.

Sanjeev/-

(Mungeshwar Sahoo, J)

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