

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1433 of 2016**

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S. M. Izhar Anwar

.... Petitioner/s

Versus

S. S. Rajaur Rahman

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar

For the Respondent/s : Mr.

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

ORAL ORDER

2 13-12-2016 The learned senior counsel, Mr. J.S.Arora for the petitioner seeks permission to withdraw this Civil Miscellaneous application with liberty to file an application under Section 151 C.P.C. as held by the Division Bench of this Court in **AIR 1993 Patna 30(Santosh Singh and others v. Ram Chandra Sah and others)**.

In view of the submission of the learned senior counsel for the petitioner, he is permitted to withdraw this Civil Miscellaneous application with liberty to file an application under Section 151 C.P.C.

If such application, under Section 151 C.P.C. is filed by the petitioner, the Court below shall decide it according to law without being influenced by the impugned order or any finding dated 31.08.2016 passed in Misc. Case No.4 of 2016 by Munsif,



Patna City and this order passed by this Court.

Accordingly, this Civil Miscellaneous application is
dismissed as withdrawn with aforesaid liberty.

(Mungeshwar Sahoo, J)

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