

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Civil Revision No. 47 of 2016**

Smt. Ashima Sharma, Daughter of Late Shibo Kumar Chaterjee,
Wife of V.P. Sharma, aged about 50 years, R/o Tikrapara District
Kanker, Now at present R/o Vikas Nagar Kondagaon, District
Bastar (C.G.) Plaintiff

---- Applicant**Versus**

1. Dr. Ravindra Nath Benarjee, S/o Late Prabhat Kumar Benarje,
aged about 95 years, R/o M.G. Road Raipur, District Raipur (C.G.)
2. Mahipal Mehra, S/o Keval Kishan Mehra, aged about 66 years, R/o
Janakpur Ward, Kanker, District Kanker (C.G.)
3. State of Chhattisgarh, Through the Collector Kanker, District
Kanker (C.G.)Defendants

---- Respondents

For Applicant : Mr. Vishnu Koshta, Advocate.

For Respondent No.2 : Mr. Parag Kotecha, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****24/06/2016**

(1) Learned counsel appearing for the respondent No. 2 would submit that against the order rejecting plaint, revision is not maintainable in view of judgment of the Supreme Court in the matter of **Rishabh Chand Jain Vs. Ginesh Chandra Jain¹**.

(2) At this stage, Mr. Vishnu Koshta, learned counsel appearing for the applicant submits that he seeks leave to withdraw this revision with liberty to file appeal for the appellate Court.

(3) Liberty is granted, as prayed for.

(4) Accordingly, the civil revision is dismissed as withdrawn with the liberty as aforesaid.

(5) The certified copy of the impugned order and other relevant documents be returned to the counsel for the applicant, after furnishing an attested photocopy thereof.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-