

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP (227) No.08 of 2016**

Pratul Kumar S/o Radhakrishan Das, Aged About 26 Years R/o Ward No. 03, Dongarhgaon, Tahsil Dongarhgaon, District Rajnandgaon Chhattisgarh

---- Petitioner

Versus

1. Smt. Kusum Vaisnav W/d Piyus Vaisnav, Aged About 30 Years,
 2. Aayush, S/o Piyush Vaisnav, Aged About 11 Years, Natural Guardian Through Mother Smt. Kusum Vaishnav,
 3. Vivek S/o Devkrishan Das Vaishnav, Aged About 36 Years
- All are R/o Village Chandoo, Khursitikul, Tahsil Dongarhgaon, District Rajnandgaon Chhattisgarh
4. State Of Chhattisgarh, Through The Collector, Rajnandgaon District Rajnandgaon Chhattisgarh

---- Respondents

Shri Hemant Gupta, counsel for the petitioner.
Shri SC Khakharia, Dy. Advocate General for the State.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order****11.01.2016**

At the outset, learned counsel for the petitioner submits that he may be permitted to withdraw the instant petition with liberty to file afresh in case the occasion arises before the Court below for non compliance of the required procedure given in the Order 9 Rule 7 of the Code of Civil Procedure. Learned counsel would further submits that his application has been allowed by the Court below under the provisions as contained in Order 9 Rule 7 of the CPC.

2. As prayed, the instant petition is disposed of as withdrawn reserving the aforesaid liberty to the petitioner. No order as to cost.

Sd/-

(Chandra Bhushan Bajpai)**JUDGE**