

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22935 of 2013

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Shio Shankar Kunwar & Ors

.... Petitioner/s

Versus

Madan Kumar Jha

.... 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

4 10-10-2017 After some argument, the learned counsel, Mr. Girish Chandra Jha, appearing on behalf of the petitioner seeks permission to withdraw this writ application with liberty to raise all these questions, i.e., issue of res judicata during the hearing of the suit.

From perusal of the impugned order, it appears that the Court below has also in the impugned order has stated that this matter shall be decided along with other issues.

In view of the above facts and circumstances of the case, the petitioner is permitted to withdraw this writ application with liberty to raise all the points before the trial Court at the time of final argument of the suit after closure of the evidence.

Accordingly, this writ application is dismissed as withdrawn with the aforesaid liberty.

Sanjeev/-

(Mungeshwar Sahoo, J)

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