

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21229 of 2013

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Chatendra Singh & Ors

.... Petitioner/s

Versus

Krishna Kumar Singh & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 20-09-2017 Heard the learned senior counsel, Mr. Ram Suresh Roy

for the petitioners.

This writ application has been filed under Article 227 of the Constitution of India against that part of the impugned order dated 21.08.2013 passed by the learned Sub Judge VI, Patna in Title Suit No.815 of 2013 whereby the learned court below has rejected the injunction application filed by the petitioners under Order 39 rule 1 and 2 of the C.P.C. and directed the parties to proceed under Section 89 C.P.C.

It may be mentioned here that the order either rejecting or allowing an application for injunction under Order 39 rule 1 and 2 is appealable under Order 43(1)(r) of the C.P.C.

In view of this provision of law, the learned senior counsel seeks permission to withdraw this writ application with liberty to file appeal before appropriate forum as the valuation of



the suit is only Rs.3 lacs as submitted by him.

In view of the submission of the learned senior counsel,
this writ application is permitted to be withdrawn with liberty to
file appeal before appropriate forum.

Thus, this writ application is dismissed as withdrawn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

(Mungeshwar Sahoo, J)

Saurabh/-

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