

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL MISCELLANEOUS JURISDICTION No.607 of 2017**

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1. Sulochna Devi W/o Late Ganga Ram Mandal  
2. Anil Kumar S/o Late Ganga Ram Mandal Both are residents of village -  
Supaul Patti Jhakhrahi, Ward No. 12, P.S. and District - Supaul.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Collector, Supaul, District - Supaul.

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Kumar Goutam

For the Respondent/s : Mr. Raj Kishore Roy- GP18

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

2      14-09-2018      Learned counsel for the petitioners submits that the learned Additional District Judge has rejected the petition of the petitioners filed under Order 41 Rule 27 C.P.C. on the ground that the petitioners have not been able to show the relevancy of documents or have not shown the due diligence in getting the documents till the disposal of the suit.

Learned counsel for the petitioners after some argument seeks permission to withdraw this civil miscellaneous petition with liberty to file a fresh petition stating the ground and the relevancy of the documents for admitting the documents in Title Appeal No.12 of 2007.

Prayer is allowed. This civil miscellaneous petition is disposed of as withdrawn with the aforesaid liberty.



If such petition is filed stating the grounds that the petitioners even after due diligence could not be able to trace out the concerned records during the pendency of the suit or before filing the petition for admission of the aforesaid documents in evidence and the relevancy of the same, learned Additional District Judge shall consider the same on its own merit.

**(Prabhat Kumar Jha, J)**

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