

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.479 of 2017

1. Imamuddin
2. Ghyasuddin
3. Ashifuddin
4. Merajuddin

All sons of Late Amiruddin and R/o Saudagar Patti Road, P.O. & P.S.-
Kishanganj, District-Kishanganj

... .. Appellant/s

Versus

1. Sultan Alam son of Late Qamruddin R/o Pilkhana Road, Churipatti, P.O. &
P.S.- Kishanganj, District=-Kishanganj

..... (Plaintiff-Respondent)-Respondent

2. Chandani D/o Amiruddin R/o Saudagar Patti Road, P.O. & P.S.-
Kishanganj, District-Kishanganj

(Defendant-Appellant-Respondent)- Respondent

Appearance :

For the Appellant/s	:	Mr. Abbas Haider Mr. Ranjay Kumar Singh, Advocates
For the Respondent/s	:	Mr. Sanjay Kumar Mishra, Advocate Mr. Maqbool Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 05-04-2018 When the matter was taken up on 22.03.2018, the Court was informed that the appellants would file an affidavit expressing their willingness to withdraw the second appeal and would seek leave to vacate the suit premises within a reasonable time. The affidavit is there on record.

Mr. Abbas Haider, learned counsel appearing on behalf of the appellants, seeks permission to withdraw this appeal and makes a prayer that the appellants should be allowed



some reasonable time to vacate the suit premises. A period of six months from today is, hereby, allowed to the appellants to vacate the suit premises.

Till completion of six months from today, the execution proceeding in the Court of learned Sub-Judge-1, Kishanganj being Execution Case No. 3 of 2017 shall remain stayed, subject to payment of monthly rent at the rate of Rs. 1500/- per month by the appellants.

If the appellants fail to vacate the suit premises within the said period of six months, the respondents shall be at liberty to approach this Court for initiation of contempt proceeding against them.

The withdrawal of the present second appeal shall certainly not prejudice the appellants' claim of title raised by them, in a pending title suit filed by them.

The appeal stands disposed of.

(Chakradhari Sharan Singh, J)

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