

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.163 of 2001

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Brij Nandan Singh, son of Late Ram Chandra Singh, resident of village Tippa,
P.O. and P.S. Nauhatta, District Rohtas (Sasaram)

... .. Appellant/s

Versus

1. Bank Of India, a body corporate constituted under the Banking Companies Acquisition and Transfer of Undertaking Act 1970 having its head office at Express Towers Nariman Point, Bombay- 400 021 and a branch office amongst other places at Daranagar, P.S. Mauhatta, District Rohtas (Sasaram)
2. Kamata Singh son of Late Ram Chandra Singh
3. Nirmal Kumar Singh, son of Surya Banch Singh, both residents of village Tippa, Post and P.S. Nauhatta, District Rohtas (Sasaram)

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Sunil Kumar Singh, Adv.
For the Respondent/s	:	Dr. Binod Bihari Sinha, Adv.
		Mr. Ajay Dutt Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

14 05-03-2020 Heard learned counsel for the appellant as well as
learned counsel for the respondents.

In the background of non-payment of installment against term loan having been borrowed at the end of the appellant/ judgment debtor Title Suit No. 163 of 1995/ 42 of 2000 has been brought up by the lender Bank, Bank of India, Branch Daranagar, which has been decreed vide judgment dated 6.1.2001 and decree dated 18.1.2001 against which, the instant appeal has been preferred.

At previous occasion learned respective counsels shown their inclination in order to sort out the controversy under



the banner of one time settlement which fortunately became fruitful and the appellant/ borrower/ judgment debtor paid the amount under one time settlement and incorporating the aforesaid fact, asks for withdrawal of the instant appeal, more particularly, on the facts that no lis survives.

Learned counsel representing the Bank/ lender do endorse as has been properly instructed by his client.

In the aforesaid facts and circumstances of the case, the appellant is allowed to withdraw this appeal. As such, I.A.No. 2/2020 is allowed.

(Aditya Kumar Trivedi, J)

Surendra/-

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