

13.07.2021
Ct. No.9
S/L No.1
KS

(Via Video Conference)

S.A. 24 of 2021

Abdul Maleque

-Vs.-

Abdus Samad (Dead) represented by Rejia & Ors.

Mr. Pinaki Dhole

.....For the Appellant

Mr. Biswajit Tiwari

.....For the Respondent No.4

Mr. Pinaki Dhole, learned counsel appearing for the appellant pressed in service alongwith written instruction from the appellant, Abdul Maleque stating that the subject matter of dispute in respect of the landed properties involved in the appeal has been settled amicably out of the Court by and between the parties. Consequently, the appellant is not willing to proceed with the second appeal further in order to avoid complication in between the parties.

Let a copy of written instruction for withdrawal of the second appeal be kept on record.

Mr. Biswajit Tiwari, learned counsel appearing for the respondent no.4 agrees with the submission so made on behalf

of the appellant for withdrawal of the second appeal being, S.A. 24 of 2021.

Accordingly, the second appeal being, S.A. 24 of 2021 be withdrawn and dismissed for non-prosecution without any order as to costs.

Lower Court Record (L.C.R.), if any, brought before this Court be sent to the learned Court below alongwith a copy of this order for necessary compliance.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Shivakant Prasad, J.)