

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.638 of 1984

=====

OMPRAKAS SINGH son of Girdhari Singh, resident of village Raiparchor,
P.S. and Anchal Shivsagar, District Rohtas (Sasaram)

... .. Appellant/s

Versus

1. UDAY PRATAP SINGH Son of Late Balkeshwar Singh
2. Birendra Kumar Singh @ Bipin Bihari Singh son of Uday Pratap Singh
resident of village Raiparchor, P.S. Sheogagar, P.S. Raiparchor, District
Rohtas

..... (Defendant 1st Set) Respondents

3. Girdhari Singh, son of Late Bal Keshwar Singh of village Raiparchor, P.S.
Sheosagar, District Rohtas

(Defendant 2nd Set) Respondent

4. Nirmal Kumar Singh, son of Late Balkeshwar Singh

5. Bimlesh Kumar Singh

6. Kamlesh Kumar Singh

both sons of Nrmal Kumar Singh, resident of village Raiparchor, P.S.
Sheogagar, P.S. Raiparchor, District Rohtas

Defendants 3rd set) Respondents

7. Jagdish Singh son of Banwari Singh of village Jalalpur P.S. Said Raja,
District Varanasi (U.P.)

(Defendant 4th set)Respondents

8. Kumar Amarendar Singh son of Girdhari Singh, resident of village
Raiparchor, P.S. and Anchal Shivsagar, District Rohtas (Sasaram)

.. .Transposed as respondent no. 8 vide order dated 1.8.2016

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Ms. Prakritita Sharma, Advocate

For the Respondent/s :

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

11 29-08-2022

I.A. no. 1 of 2022

Heard learned counsel for the appellant. No one
appears for the respondents.

It is submitted by learned counsel appearing for the
appellant that the instant appeal had been preferred by the
appellant no. 1 as also his minor brother who was appellant no.
2 in the appeal.

By order dated 1.8.2016, the appellant no. 2 was



declared major, the guardian was discharged and it was further directed that Vakalatnama duly executed by appellant no. 2 be filed within one month failing which the appellant no. 2 shall be transposed as respondent in this appeal. No Vakalatnama having been filed on behalf of the appellant no. 2, pursuant to the order dated 1.8.2016, he stood transposed as respondent.

It is further submitted that the Advocate on record of the instant appeal died during pendency of the appeal and as such learned counsel has filed a fresh Vakalatnama duly executed by the appellant no. 1 (now the sole appellant) on 3.8.2022 which is available on record. Further in the instant application, learned counsel for the appellant prays that in view of the amicable settlement between the parties, the appellant be permitted to withdraw the instant appeal.

In view of the above, the appeal is permitted to be withdrawn.

I.A. no. 1 of 2022 is allowed.

The appeal stands disposed of.

(Partha Sarthy, J)

Spd/-

U			
---	--	--	--

