

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.673 of 2022

Niraj Kumar Tulsyan Son of Late Jagdish Prasad Tulsyan Resident of Village and Mohalla- Mal Godown Road, Ward No.- 2, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

1. Kanta Kumari Wife of Sudhanshu Kumar Resident of Village M.G. Road, Khagaria, Ward No.- 17, Pargan, P.S. and District- Khagaria.
2. Sanjeev Kumar Tulsyan, Son of Late Prahalad Roy @ Tulsyan Resident of Village and Muhalla- S.D.O. Road, Nagar Parishad, Ward No.- 17, Mayaram Market, P.S. and District- Khagaria.
3. Nand Kishore Tulsyan, Son of Late Prahalad Roy @ Tulsyan Resident of Village and Muhalla- S.D.O. Road, Nagar Parishad, Ward No.- 17, Mayaram Market, P.S. and District- Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Advocate. Mr. Mohit Agarwal, Advocate.
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 17-11-2022 Heard Mr. S.D. Sanjay, learned senior counsel
appearing for the petitioner.

Learned counsel for the petitioner seeks permission
to withdraw this application with liberty to file an appeal against
the main order refusing injunction as well as review order.

Permission is granted.

Accordingly, this application is dismissed as
withdrawn with aforesaid liberty.

It goes without saying that if an appeal is
filed along with condonation of delay petition, the
Appellate Court will consider the plea of petitioner for



condonation of delay in the light of the fact that the petitioner
was pursuing the remedy before the wrong Court.

(Anil Kumar Sinha, J)

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