

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.57 of 2003

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VIJOY KUMAR SRIVASTAVA and ORS

... .. Appellant/s

Versus

MOST. RANJANI KUMARI and ORS

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Prabhas Ranjan, Advocate

For the Respondent/s : Mr. Shashi Nath Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

13 23-01-2023 Mr. Prabhas Ranjan, learned counsel for the

appellants and learned counsel for the respondent nos. 1 and 2

are present.

Re: I.A. No. 02 of 2023

This application has been filed under Section 151 of the Code of Civil Procedure for withdrawal of the present Second Appeal No. 57 of 2003.

Learned counsel for the appellant submits that pursuant to the efforts of the well wishers and friends, the matter has been compromised outside court and they do not want to pursue the appeal.

In the aforesaid facts and averments made in this application, this Second Appeal is dismissed as withdrawn.

Re: I.A. No. 03 of 2023

This application has been filed under Section 151 of the Code of Civil Procedure by the respondent nos. 1 and 2 for



withdrawal of the cross objection.

Learned counsel for the respondent nos. 1 and 2 stated that pursuant to the efforts of the well wishers and friends, the parties have compromised amongst themselves outside the court and now they are not willing to pursue the appeal as well as the cross objection filed in this appeal and prayed for withdrawal of their cross objection with an observation that the finding recorded against respondent no. 1 and 2 in paragraph 18 of the impugned judgment dated 11.02.2003 passed in Title Appeal No. 55 of 1996 would not be binding on respondent nos. 1 and 2 in future.

The learned counsel for the appellant has not raised any objection with regard to the said Interlocutory Application for withdrawal filed by the respondent nos. 1 and 2.

Considering the facts and averments made in this application, the Interlocutory Application is allowed.

The cross objection filed by respondent nos. 1 and 2 is dismissed as withdrawn.

(Khatim Reza, J)

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