

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1304 of 2017

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Munilal Gauswami, son of Late Triloki Nath Goswami, R/o Village - Karore,
P.S. Cheria Bariarpur, District - Begusarai.

... .. Petitioner/s

Versus

1. Ganga Ram Paswan, son of Late Baldeo Paswan
2. Pawan Kumar Mahto, son of Late Raudi Mahto alias Soordas Mahto, Both 1 and 2 residents of Village - Karore, P.S. Cheria Bariarpur, District - Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raghu Nath Singh, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-01-2024 Heard learned counsel for the petitioner.

2. The instant petition has been filed against the order dated 16.05.2017 passed by learned Sub-Judge-3rd, Begusarai in Title Suit No. 160 of 2012 rejecting the injunction petition filed by the petitioner under Order 39, Rule 1 and 2 and Section 94 as well as Section 151 of the Civil Procedure Code.

3. I think, the petition is misconceived and appropriate remedies lies before the court of learned District Judge in filing miscellaneous appeal against the impugned order.

4. Faced with the situation, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file miscellaneous appeal before the court of competent jurisdiction.



5. Permission is accorded.

6. Accordingly, the instant petition is dismissed as
withdrawn with the aforesaid liberty.

(Arun Kumar Jha, J)

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