

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.372 of 2024

Smt. Sanju Devi @ Sanju Devi Daughter of Sri Sahdeo Mahto and Wife of Sri Bachchu Prasad, Resident of Village- Chorsua, P.S.- Giriyak, District- Nalanda.

... .. Petitioner/s

Versus

1. Sri Sahdeo Mahto Son of Late Etwari Mahto, Resident of Mohalla- Meharpar, P.O.- Rana Bigha, P.S.- laheri, District- Nalanda.
2. Smt. Usha Devi, Daughter of Sari Sahdeo Mahto Wife of Sri Vindeshwar Prasad, Resident of Tarokhar, P.O. Raitar, P.S.- Giriyak, District- Nalanda.
3. Smt. Shanti Devi Daughter of Sandeep Mahto Wife of Sunil Kumar, Resident of Mohalla- Meharpur, P.O. Rana Bigha, P.S.- Laheri, District- Nalanda.
4. Ravishankar Kumar Son of Bhagwan Prasad. Resident of Mohalla- Meharpar, P.O.- Rana Bigha, District- Nalanda.
5. Joya Kumari Daughter of Ravi Shankar Kumar, Resident of Mohalla- Meharpar, P.O.- Rana Bigha, District- Nalanda.
6. Radha Kumari Daughter of Sidheshwar Prasad, Resident of Village- Jorapur, P.O.- Pachaudi, P.S.- Deepnagar, District- Nalanda.
7. Sunil Kumar Son of Lakhan lal, Resident of Meharpur, P.O.- Rana Bigaha, P.S.- Laheri, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-07-2024 The matter has been taken up on mentioning being made on behalf of the petitioner.

2. Heard learned counsel for the petitioner.

3. The instant petition has been filed for setting aside the order dated 22.01.2024 passed in Title Suit No. 325 of 2023 by learned Sub Judge-I, Nalanda, whereby and whereunder the



learned trial court has dismissed the case for non-prosecution.

4. Evidently, the civil miscellaneous petition is not maintainable against such an order.

5. Learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file an application before the learned trial court under Order 9 Rule 4 of the Code of Civil Procedure.

6. Permission is accorded.

7. Accordingly, the present petition is dismissed as withdrawn with liberty to file appropriate application in accordance with law.

(Arun Kumar Jha, J)

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