

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.417 of 2023

Janardan Manjhi Son of Late Baldeo Manjhi Resident of Village-Bathua, P.S.-
Manjhagarh, District-Gopalganj

... .. Petitioner/s

Versus

1. Birendra Kumar Son of Late Shambhu Sharan Verma Resident of Village-Hardiya, P.S.-Barhariya, District-Siwan, at Present Village-Bathua, P.S.-Manjhagarh, District-Gopalganj
- 2.1. Mostt. Urmila Kuer Wife of Late Aswani Kumar Resident of Village-Hardiya, Police Station-Barhariya, District- Siwan, at Present residing at Village- Bathua, Police Station-Manjhagarh, District- Gopalganj.
- 2.2. Prakash Verma Son of Late Aswani Kumar Resident of Village- Hardiya, Police Station-Barhariya, District- Siwan, at Present residing at Village-Bathua, Police Station-Manjhagarh, District- Gopalganj.
- 2.3. Vikash Verma Son of Late Aswani Kumar Resident of Village- Hardiya, Police Station-Barhariya, District- Siwan, at Present residing at Village-Bathua, Police Station-Manjhagarh, District- Gopalganj.
- 2.4. Soni Devi Daughter of Late Aswani Kumar, wife of Sanjay Kumar Resident of Village- Karpaliya, Police Station- Jamo, District- Siwan.
- 2.5. Priyanka Devi Daughter of Late Aswani Kumar, Wife of Sudhir Kumar Resident of Village- Hardiya, Police Station-Barhariya, District- Siwan.
3. Anil Kumar Son of Late Shambhu Sharan Verma Resident of Village-Hardiya, P.S.-Barhariya, District-Siwan, at Present Village-Bathua, P.S.-Manjhagarh, District-Gopalganj
4. Dilip Kumar Son of Late Jagannath Lal Resident of Village-Bathua, P.S.-Manjhagarh, District-Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate
For the Respondent/s : Mr.Shyam Kishore, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 15-07-2024 Heard the learned counsel for the petitioner and

learned counsel for the respondents.

2. Learned counsel for the respondents submits that

the petitioner has filed the petition before the learned trial Court



for directing Shakuntala Devi to produce the gift deed from her possession which was declined by the learned trial Court. Now, Shakuntala Devi has died and the petition itself has become infructuous.

3. Faced with this situation, learned counsel for the petitioner seeks permission to withdraw this petition with liberty to raise further issues before the learned trial Court.

4. Permission is accorded.

5. Petition is dismissed as withdrawn with liberty to the petitioner to take the matter to the learned trial Court in appropriate proceeding in accordance with law.

(Arun Kumar Jha, J)

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