

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.172 of 2025

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Sunil Choudhary @ Suneel Chaudhari, Son of Late Nageshwar Choudhary,
resident of Village- Itahri, Post Office-Fudkichak, Police Station-Gogri,
District-Khagaria. Appellant/s

Versus

1. Shobha Kant Choudhary, Son of Late Nageshwar Chaudhary, resident of
Village-Itahri, P.O.-Fudkichak, Police Station-Gogri, District-Khagaria.
2. Rajeev Prakash, Son of Late Bateshwar Singh, resident of Village-Haripur,
Police Station-Gogri, District-Khagaria.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Mrityunjay Kumar, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-11-2025 In view of the office note regarding the
maintainability of this appeal before this Court, learned counsel
appearing for the appellant seeks liberty to file the First Appeal
before the concerned District Judge and prays to withdraw the
instant appeal.

2. Considering the aforesaid submission, the instant
appeal stands disposed of as withdrawn, with giving liberty to
the appellant to file the First Appeal before the District Judge
concerned within ten weeks from today and the time spent by
the appellant in this appeal shall be excluded by the first
appellate court while computing the necessary limitation period
in respect of the appeal which is to be filed before the District
Judge.

(Shailendra Singh, J)

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