

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.158 of 2024

Devendra Nath Puri, S/o Late Yojendra Nath Puri, Resident of Village- Ramji Chak, P.S.- Digha, P.O.- Bata Gung, District- Patna.

... .. Petitioner/s

Versus

1. Bihar State Religious Trust Board Bidyapati Marg Patna through its President Sri Akhlesh Jain at Bidyapati Marg, P.S.- Budha Colony, District- Patna.
2. Kameshwar Singh, S/o Late Bindeshwari Singh, Secretary of Sheo Mandir, Ramji Chak, P.S.- Digha, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramhansh Kumar Puri, Advocate
For the Respondent/s : Mr. Ganpati Trivedi, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

- 3 17-04-2025 Learned counsel for the petitioner submits that the petitioner has challenged the order dated 11.09.2023 passed by learned Additional District Judge-XXIII, Patna in Misc. Case No. 115 of 2011 whereby and whereunder the learned trial court allowed the application dated 07.02.2017 filed on behalf of intervenors under Order 1 Rule 10(2) of the Code of Civil Procedure and thus allowed the intervenors to be impleaded as party in the above noted miscellaneous case. Learned counsel further submits that Misc. Case No. 115 of 2011 has been disposed of on 22.03.2025 and, hence, the present matter has become infructuous and petitioner has already filed an appeal against the order passed on 22.03.2025 passed in Misc. Case



No. 115 of 2011. Thus, the learned counsel seeks permission to withdraw the present petition with liberty to raise the issue before the appellate court which has been impugned before this Court.

2. Since the matter has become infructuous, the present petition is dismissed as withdrawn with liberty to the petitioner to take up the issue before the appellate court which was under challenge before this Court in accordance with law.

(Arun Kumar Jha, J)

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