

IN THE COURT OF Civil Judge (Sr. Div.)-I, PIRO , BHOJPUR

Title Suit No. 251 of 2025

Dated		Remark
30-04-2026	<u>ORDER</u> Case record has been placed before me for order after hearing the learned counsel on behalf of plaintiff over the petition dated 22/04/2026 filed Under Order XXIII Rule 1 and Section 151 of C.P.C, supported with an affidavit with a prayer for an order for withdrawal of this suit. Heard the submissions placed forward on behalf of the plaintiff. It has been prayed by the learned counsel that certain defects and drafting errors have occurred in T. S. 251 of 2025 therefore, it has become necessary to withdraw the present suit and file a fresh one with proper pleadings. Perused the case-record, from perusal of the record, it transpires that the instant suit has been filed by the plaintiff namely Bihari Singh against defendants with a prayer <i>inter alia</i> deed dated 13.06.2024 be declared null and void having no binding effect upon the plaintiff. It has been further prayed that properties described in Schedule 'Ka' and Schedule 'Kha' be partitioned by metes and bounds and separate 1/4th share of the plaintiff be allotted. After admitting this suit, the suit was proceeded and case was fixed at the stage of appearance of defendants meanwhile, the petition for withdrawal was filed . Now, the plaintiff by filing this instant petition, has prayed that certain defects and drafting errors have occurred in T. S. 251 of 2025 therefore, it has become necessary to withdraw the present suit and file a fresh with proper pleadings. So, he intends to withdraw this suit. The suit has been filed by the plaintiff and now it is up to the plaintiff, whether he wants to continue with the suit or withdraw it. In the light of petition, the plaintiff was examined in court and stated that he wants to withdraw the present suit and stated to have "no objection" if the suit is dismissed as withdrawn. So, in the facts and circumstances of the case, the plaintiff is permitted to withdraw this suit. Thus the suit is hereby dismissed as withdrawn. If so advised, the plaintiff may institute fresh suit only in accordance with law. The office clerk is directed to consign the case record in the record room as per rule within stipulated time. Let the copy of this order be uploaded on C.I.S.  Civil Judge (Sr. Div.)-I Piro, Bhojpur	