

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

I.A. 4/2015 in Original Suit No. 3/2004

STATE OF BIHAR

Petitioner(s)

VERSUS

STATE OF JHARKHAND &amp; ORS.

Respondent(s)

(for substitution)

Date : 31/08/2015 This application was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.K. AGRAWAL  
[IN CHAMBERS]For Petitioner(s) Mr. A.K. Ganguli, Sr. Adv.  
Mr. Abhinav Mukerji, Adv.  
Ms. Purnima Krishna, Adv.For Respondent(s) Mr. Amrendra Saran, Adv.  
Mr. Gopal Prasad, Adv.  
Mr. Manish Kr. Saran, Adv.  
Mr. B. V. Balaram Das, Adv.UPON hearing the counsel the Court made the following  
O R D E R

Mr. Amrendra Saran, learned senior counsel for the defendant No. 1- State of Jharkhand, submits that in view of Order XVI Rule I(3) of the Civil Procedure Code, 1908, this Court has the power to summon additional witness. As in the present application, prayer has been made only for substitution of defendant's witnesses, he seeks withdrawal of I.A. No. 4 of 2015 seeking substitution of defendant's No.1 witnesses with liberty to file application for permission to call other witness. In view of the statement made by the learned counsel the present application is dismissed as withdrawn with liberty as prayed for.

(RASHMI DHYANI)  
Sr. P.A.(RAJINDER KAUR)  
Court Master