IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA

ON THE 22nd OF FEBRUARY, 2023

MISC. PETITION No. 5399 of 2018

BETWEEN:-

1. **MAHILA SAHUDRA W/O RATAN SINGH, AGED ABOUT 67 YEARS, OCCUPATION: HOUSE WIFE, R/O NEAR M.P.E.B. JANSHI ROAD, TIKAMGARH, DISTT. TIKAMGARH (MADHYA PRADESH)**

2. **GOVIND SINGH S/O SANTOSH SINGH YADAV, AGED ABOUT 29 YEARS, OCCUPATION: BUSINESS, R/O NEAR MPEB JANSHI ROAD, TIKAMGARH, DISTRICT TIKAMGARH (MADHYA PRADESH)**

3. **DHARMA PAL SINGH S/O SANTOSH SINGH YADAV, AGED ABOUT 22 YEARS, OCCUPATION: BUSINESS, R/O NEAR MPEB JANSHI ROAD, TIKAMGARH, DISTRICT TIKAMGARH (MADHYA PRADESH)**

.....PETITIONER

(BY SHRI DHIMAN CHANDRA MALLIK - ADVOCATE)

AND

1. **VIJAY BAHADUR SINGH S/O PRITHVI SINGH YADAV, AGED ABOUT 70 YEARS, R/O NAI GARHI RAISEN AT PRESENT R/O SHAIL SAGAR MOHALLA TIKAMGARH DISTT. TIKAMGARH (MADHYA PRADESH)**

2. **JASHRATH SINGH YADAV S/O MAJBOOT SINGH YADAV, AGED ABOUT 65 YEARS, R/O NEAR PUSHAPA SCHOOL, TIKAMGARH, DISTRICT TIKAMGARH (MADHYA PRADESH)**

3. **RATAN SINGH YADAV S/O MAJBOOT SINGH YADAV, AGED ABOUT 74 YEARS, R/O NEAR PUSHAPA SCHOOL, TIKAMGARH, DISTRICT TIKAMGARH (MADHYA PRADESH)**

4. **LAL SINGH YADAV S/O JASHRATH SINGH YADAV,**

AGED ABOUT 40 YEARS, R/O NEAR PUSHAPA SCHOOL, TIKAMGARH, DISTRICT TIKAMGARH (MADHYA PRADESH)

5. **MANOHAR SINGH S/O JASHRATH SINGH YADAV, AGED ABOUT 35 YEARS, R/O NEAR PUSHAPA SCHOOL, TIKAMGARH, DISTRICT TIKAMGARH (MADHYA PRADESH)**

6. **RAKESH SHUKLA S/O SHRI JEEVAN LAL SHUKLA, AGED ABOUT 39 YEARS, THEN TAHSILDER TIKAMGARH (M.P.) AT PRESENT ADDRESS NOT KNOWN, THROUGH COLLECTOR, TIKAMGARH, DISTRICT TIKAMGARH (MADHYA PRADESH)**

7. **TIJU LAL PRAJAPATI, REVENUE INSPECTOR, TIKAMGARH DISTRICT TIKAMGARH (MADHYA PRADESH)**

8. **THE BRANCH MANAGER, HDFC BANK, BRANCH AT TIKAMGARH, DISTRICT TIKAMGARH (MADHYA PRADESH)**

.....RESPONDENTS

(BY SMT. SANJANA SAHNI- ADVOCATE FOR RESPONDENT NO.1 AND SHRI DINESH KAUSHAL- ADVOCATE FOR RESPONDENT NO. 3)

This petition coming on for admission this day, the court passed the following:

ORDER

This petition under Article 227 of the Constitution of India has been filed against the order dated 13.09.2017 passed by Ist Additional District Judge, Tikamgarh in MJC No. 20/2014 and order dated 04.06.2013 passed by Tehsildar, Tikamgarh in Case No. 150/A-6/1987-88.

It is submitted by the counsel for respondent No. 1 that the impugned order dated 04.06.2013 passed by the Tehsildar has already been set aside by the Collector, District Tikamgarh in Case No. 54/B-121/2014-15 and, therefore, the every objection which is being raised by the petitioners is open for adjudication by the Tehsildar.

Faced with such a situation, the counsel for the petitioners seeks permission of this Court to withdraw this petition.

Needless to mention that withdrawal of this petition would not mean the adjudication of the objections raised by the petitioners in this petition.

The petitioners shall be free to raise all objections before the Tehsildar in light of the decree dated 12.10.1985 passed in First Appeal No. 14/1977 as well as the subsequent sale deeds.

With aforesaid clarification, the petition is **dismissed as withdrawn**.

(G.S. AHLUWALIA)
JUDGE

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THE HIGH COURT OF MADHYA PRADESH
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