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**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**Writ Petition (C) No.6439 of 2010**

**Petitioner**

Respondent No.1

Vikramaditya Singh Dev (wrongly typed as "Vikramajit Singh Dev"),  
S/o. A.S. Dev, aged about 52 years,  
R/o. Lakhanpur, Tahsil Lakhanpur,  
District Surguja (C.G.)

*Versus*

**Respondents**

Election Petitioner

1. Rajesh Agrawal, S/o. Late Chandiram Agrawal, aged about 42 years, R/o. Main Road, Lakhanpur, Police Station & Tahsil Lakhanpur, District Surguja (C.G.)
2. Akhilesh Pandey, S/o. Late Martand Pandey, aged about 46 years, R/o. Near Hospital, Lakhanpur, Police Station & Tahsil Lakhanpur, District Surguja (C.G.)
3. Deviram Agrawal, S/o. Late Juggamal, aged about 66 years, R/o. Main Road, Lakhanpur, Tahsil Lakhanpur, District Surguja (C.G.)
4. Returning Officer, Nagar Panchayat, Lakhanpur, Surguja (C.G.)
5. District Election Officer, District Surguja (C.G.)
6. C.S.Paikra, Returning Officer, Tahsildar, Lakhanpur, District Surguja (C.G.)

(Writ Petition under Article 226 & 227 of the Constitution of India)

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Mr. Vikram Dixit, counsel for the petitioner.

Mr. Aman Kesharwani, counsel for respondent No.1.

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(SB: Hon'ble Mr. T.P. Sharma, J.)

**ORDER**

(30-11-2011),

1. By this writ petition under Article 226 & 227 of the Constitution of India the petitioner has challenged the legality and propriety of the order dated 25.6.2010 passed by the District Judge, Surguja in Misc.Civil Case



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No.6/2010, whereby application filed on behalf of the petitioner under Order 7 Rule 11 of the Code of Civil Procedure has been rejected.

2. Learned counsel for the petitioner seeks to withdraw this writ petition with liberty to file appropriate revision in terms of proviso to Section 115 of the Code of Civil Procedure.
3. The writ petition is dismissed as withdrawn with the aforesaid liberty. Certified copy of the order impugned be returned to counsel for the petitioner after furnishing duly attested photostat copy of the same. No order as to costs.

Sd/-  
T.P. Sharma  
Judge

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