

**BEFORE
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH**

30.05.2013

Mr. H Nongkhlaw, learned counsel for the appellant prays for allowing him to withdraw this appeal with a liberty to file a new one, inasmuch as, the present appeal suffers from formal defects which cannot be cured by amending the appeal.

Mr. VK Jindal, learned senior counsel appearing for the respondents contended that the minor children of the deceased should be impleaded in the claim petition. What is to be decided in this order is as to whether or not the leave will be granted for filing afresh appeal or MAC case/appropriate application.

In the above factual backdrops, prayer for allowing to withdraw this appeal without prejudicing the right of the appellant to seek appropriate remedy or appropriate application is granted.

Accordingly, the appeal is disposed of on withdrawal.

JUDGE