

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**FAM No. 20 of 2020**

1. B.K.Singh S/o Shri Yuddhvir Singh, aged about 72 years, R/o Om Vihar, VIP Road, Raipur, Tahsil and District Raipur (CG).
2. Ramesh Modi, S/o Shri Chhagan Lal, Modi aged about 77 years, R/o Modi Chhaya, Sector-6, Devendra Nagar, Raipur, Tahsil and District Raipur (CG)
3. Rajendra Prasad, S/o Shri Dhanushdhari, aged about 67 years R/o Shri Ram Mandir, VIP Road, Raipur, Tahsil & District Raipur (CG)
4. Sushil Malini, S/o Shri Vikas Malini, R/o Dunga Ji Colony Ayurvedic College Road, Raipur, Tahsil and District Raipur (CG).
5. Surendra Jain S/o Shri Satyanarayan Jain, R/o B-34, Anupam Nagar, Raipur, Tahsil and District Raipur (CG).
6. Leeladhar Chandrakar S/o Shri Suraj Prasad Chandrakar, R/o B-1, Pawan Vihar, New Rajendra Nagar, Raipur, Tahsil and District Raipur (CG).
7. Krishna Kumar Tomar, S/o Shri Jaichand Tomar, R/o Khanij Nagar, VIP Road, Raipur Tahsil and District Raipur (CG).
8. Amarchand Agrawal S/o Badri Prasad Agrawal, R/o Samta Colony, Raipur, Tahsil and District Raipur (CG).
9. Harshad Seth S/o Shri Harilal Seth, R/o Gurukripa, 34/127, Fire Brigade Chowk, Chhotapara, Raipur, Tahsil & District Raipur (CG)
10. Anup Agrawal S/o Shri Ghanshyam Agrawal, R/o E-3, Ravi Nagar, Raipur Tahsil and District Raipur (CG).
11. Atmabodh Agrawal, S/o Shri Lalchand Agrawal, R/o Yugbodh Prakashan, Samta Colony, Raipur, Tahsil & District Raipur (CG)

**---- Appellants**

**Versus**

1. Thakur Ramchandra Swami Mandir, Shri Dudhadhari Math, Mathpara, Raipur (Abode of Deities of Lord Shri Ram Chandra Ji) Through Raje Shri Dr. Mahant Ram Sundar Das, aged about 46 years, Guru Late Raje Shri Mahant Vaishnav Das, Managing Trustee Shri Dudhadhari Math Balaji Swami Trust, Raipur, District Raipur Chhattisgarh.
2. Raje Shri Dr. Mahant Ram Sundar Das Guru Late Raje Shri Mahant Vaishnav Das, aged about 46 years, Managing Trustee Shri Dudhadhari Math Balaji Swami Trust, Raipur, District Raipur Chhattisgarh.
3. The Registrar Public Trust (Sub Divisional Officer) Raipur, Tahsil and District Raipur (CG)

**---- Respondents**

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For Appellants : Shri Y.C. Sharma, Advocate.

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**Order On Board By Hon'ble Shri Parth Prateem Sahu, J**

**31/07/2020**

1. Heard on I.A. No.8/2020, an application for withdrawal of this appeal.
2. Learned counsel for appellants submits that appellants have moved an application for withdrawal of this first appeal (miscellaneous) for availing the remedy available to them before the Hon'ble Supreme Court.
3. Appellants have preferred this appeal feeling aggrieved by the judgment dated 16.5.2019 passed by learned 2<sup>nd</sup> Additional District Judge, Raipur in Civil Suit No.3A/2013. Earlier the appellants have preferred FAM No.189/2019 challenging the aforementioned judgment, but for the reasons best known to them, they withdrew the said appeal and thereafter filed writ petition bearing WP(227) No.805/2019, which came to be dismissed vide order dated 4.3.2020.
4. Noting in the order sheets of this case and documents available on record would show that after dismissal of writ petition, the appellants have preferred MCC No.263/2020 under Article 134-A of the Constitution of India for issuance of certificate to appeal to the Supreme Court. However, as per submission made by learned counsel for appellants, the said application was subsequently withdrawn.
5. It appears that after doing the above exercise, the appellants have preferred this appeal challenging the same judgment

dated 16.5.2019 which was put to challenge in FAM No.189/2019 and WP(227) No.805/2019 and now they want to withdraw this appeal.

6. In view of above facts and events and considering the prayer made by learned counsel for appellants that the appellants do not want to pursue this appeal any further before this Court and seek permission for its withdrawal, the appeal is dismissed as withdrawn.
7. Consequently, all pending applications also stand dismissed.

Sd/-  
(Parth Prateem Sahu)  
Judge

roshan/-