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MP-3052-2024

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE G. S. AHLUWALIA

ON THE 23rd OF AUGUST, 2024MISC. PETITION No. 3052 of 2024*SMT. SANTUSHTI MALVIYA**Versus**PUBLIC IN GENERAL AND OTHERS*

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Appearance:

Shri Arpan Shrivastava - Advocate for the petitioner.
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ORDER

This petition under Article 227 of Constitution of India has been filed seeking the following reliefs:-

"I. Hon'ble Court may kindly be pleased to call the entire relevant records of Succession Case No.MJC/SUC/3/22.

II. May kindly be please to quash the impugned changed order dated 04.10.2023 as well as impugned order dated 22.11.2023 (Ann P/8) and further be pleased to pass an appropriate order to providing reasonable sufficient opportunities to adducing the evidence as provide under the C.P.C.

III. Any other writ/order/direction which this Hon'ble Court deems fit in the facts and circumstances of the case, including cost of litigation be awarded in favour of petitioner."

It is submitted by counsel for petitioner that by order dated 4.10.2023 the right of the petitioner to lead evidence was closed. The petitioner filed an application for review of the said order. However, by the impugned order dated 22.11.2023 Second Civil Judge, Class-I, Betul in MJC/SUC/2/22 has



rejected the said application.

It is fairly conceded by counsel for the petitioner that petitioner has not filed a copy of order dated 4.10.2023 by which the right of the petitioner to lead evidence was closed. Accordingly, the counsel for petitioner seeks permission of this Court to withdraw this petition with liberty to file a properly constituted misc. petition along with a copy of order dated 4.10.2023.

With aforesaid liberty, the petition is **dismissed as withdrawn.**



(G. S. AHLUWALIA)
JUDGE

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