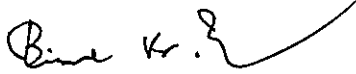
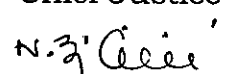
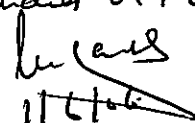




No. of Order	of Order	Order with Signature	Office Note as to action (if any) taken on Order
06.	31.05.06	<p>The Plaintiff/Petitioner has filed this Writ Petition assailing an Order passed by the Civil Court rejecting his petition seeking appointment of an Advocate Commissioner.</p> <p>[2] Amidst hearing it transpires to us that an amendment petition is pending adjudication before the Trial Court. In this view of the matter it will be better in the interest of justice to permit the Petitioner to withdraw this Writ Petition and press his application seeking amendment of the plaint and thereafter, to make a further prayer before the Trial Court itself to lead further evidence and after making proper grounds as contemplated under Order XXVI Rule 9 of the Code of Civil Procedure to make prayer for appointment of an Advocate Commissioner.</p> <p>[3] Mr. K. T. Bhutia, learned counsel for the Petitioner comes up with a prayer to withdraw this Writ Petition with liberty aforementioned.</p> <p>[4] To this prayer, Mr. Karma Thinlay, learned Government Advocate for Respondent Nos.1, 2 & 3 and Mr. B. Sharma, learned Senior Counsel for Respondent No.4 expressed no objection, rightly so when they will get opportunity to oppose the prayer seeking amendment of the plaint etc.</p> <p>[5] In the result, we permit the Writ Petitioner to withdraw this petition with liberty to both parties.</p> <p style="text-align: right;">  (Binod Kumar Roy) Chief Justice  (N. Surjamani Singh) Judge </p>	<p>Office Note as to action (if any) taken on Order</p> <p><i>A. Copy of Order along with the entire records forwarded on 1-6-06.</i> </p>