

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15548 of 2015

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Dipak Thakur

.... Petitioner/s

Versus

Uma Devi & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 08-12-2015

Heard the learned counsel, Mr. Surenda Kishore Thakur, for the petitioner on the interlocutory application No. 8166 of 2015.

At the time of hearing of the interlocutory application, the learned counsel, Mr. Thakur, submitted that the writ application itself may be heard on merit in admission matter. Accordingly, I heard him on merit in admission matter.

By the impugned order dated 07.09.2015 the Court below has rejected the objection to the Survey Knowing Pleader Commissioner report and has confirmed the same. So far the order impugned in this writ application is concerned. It is a decree within the meaning of “decree” defined under Section 2(2) C.P.C., therefore, it is appealable. Therefore, the petitioner has got statutory remedy provided under the Code of Civil Procedure. Accordingly, the same cannot be interfered with in exercise of supervisory jurisdiction under article 227 of the constitution of India. Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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