

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No. 17509 of 2010**

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Kedar Nath Rai & Anr

.... .... Petitioner/s

Versus

Sri Bhagwat Yadav & Ors

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

3. 22-05-2015 On call, a prayer is being made on behalf of petitioners for adjourning the case.

The prayer is refused. On earlier date also, on the ground of personal difficulty of learned counsel for petitioners, the case was adjourned. On perusal of the impugned order, it is evident that in a title partition suit, the petitioners, who were defendants, had filed a petition under Order 1 Rule 10 of the CPC for impleading some transferee, as party-respondents, in the suit, which has been rejected, in view of the fact that it was a partition suit between the co-sharer of the family and the fact that evidence in the suit was going on.

Be that as it may, since petition has not been pressed, this petition stands dismissed due to non-prosecution.

**(Rakesh Kumar, J.)**

Anay/-

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