

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.594 of 2013

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1. KAMESHWAR SINGH S/o late Bhavnath Singh resident of village & P.O. - Sauhaisahpur, Praganna- Bal , P.S.- Baniyapur, District- Saran, Pin Code- 841403, the correct address is Mohalla - Ratanpura, P.S. & P.O.- Bhagwan Bazar, District- Saran.

.... Appellant/s

Versus

1. DR. JALESHWAR SINGH S/o Late Bhavanth Singh residnt of village & P.O.- Sauhaisahpur, Praganna- Bal , P.S.- Baniyapur , District- Chapra (Saran).

2. Surendra Singh S/o late Bhavnath Singh resident of village & P.O. - Sauhaisahpur, Praganna- Bal, P.S.- Baniyapur, District-Saran , Pin Code - 841403. Presently residing at Mohalla - Babhanbari, P.S.- Moranhat, District- Dibrugarh, Assam , Pin- 786613.

3. Vijay Singh S/o late Bhavnath Singh resident of village & P.O.- Sauhaisahpur, Praganna- Bal , P.S.- Baniyapur , District- Saran , Pin Code- 841403. Presently resident at Mohalla- Padumnagar- 1, P.O.- Kadmani, P.S. & district- Dibrugarh, Assam , Pin- 786001.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar Singh, Advocate.
For Respondent No.1 : Mr. Arun Kumar Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 01-09-2015 Heard learned counsel for the appellant and learned
counsel for respondent no.1.

In the present appeal the appellant is challenging the order dated 27.6.2013 passed in P.S. No.213 of 2013 by Sub-Judge-I, Chapra by which the court below has appointed a receiver in the said partition suit.

Respondent no.1 has filed certified copy of the order dated 29.4.2014 passed in Partition Suit No.213 of 2013 showing that the said partition suit itself has been dismissed.

In this view of the matter, the present appeal cannot be proceeded with in view of dismissal of the suit.

Accordingly this appeal is dismissed. If the suit is revived the appellant will be at liberty to take appropriate action in accordance with law.

(Shivaji Pandey, J)

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