

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14083 of 2010

=====

1. Gupteshwar Tiwary S/O Jamuna Tiwary R/O Vill.- Bharadhuan, P.O.+P.S.-
Chenari, Distt.- Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar
2. Circle Officer, Chenari Block, Chenari, Distt.- Rohtas
3. (i) Nursa Khatun wife of Late Abdul Hasan
(ii) Md. Jubair Alam son of Late Abdul Hasan
(iii) Munna Ali son of Late Abdul Hasan
Residents of Vill.- Bharaduan, P.O.+P.S. Chenari, Distt. Rohtas

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandit
For the State : Mr. Rajeev Kumar Sinha, AC to AAG 15
For the Pvt. Respondent: Mr Siddharth Harsh

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 13-07-2015

The impugned order is dated 14.7.2010 passed by ADJ,
FTC II, Rohtas at Sasaram, by which the prayer of the petitioner to
mark five documents as exhibits has been rejected, which is under
challenge.

Submission of the counsel for the petitioner does not cut
much ice for the reason that this kind of discovery of documents,
which was in his possession, is not a chance development. The
appeal had already been argued and arguments closed and it was
inching towards judgment. This is the reason after looking into the
facts and exhibits as such the court below has rejected such prayer.

For the reasons provided in the impugned order, the Court

is not inclined to interfere with the same because it is nothing but a tactics on behalf of the petitioner to drag a suit, which is already more than two and half decades old. Writ application, therefore, is dismissed.

The lower appellate court shall ensure delivery of judgment now without further delay on such issue. If any, lacunae arises in judgment it can always be taken at the next stage, if such prayer of the petitioner is not ill founded.

(Ajay Kumar Tripathi, J)

sk

U			
---	--	--	--