

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6841 of 2014

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1. Prabhawati Devi Wife of Awadhesh Kumar Singh
 2. Awadhesh Kumar Singh Son of Late Dindayal Singh Both Are Resident of Village- Manopali, P.S.- Baniyapur, District- Saran At Chapra

.... Petitioner/s

Versus

1. Most. Lalmuni Devi Wife of Late Gopal Prasad Singh Resident of Village- Manopali, P.S. Baniyapur, District- Saran At Chapra
2. Rajkali Devi Daughter of Dharam Singh, Wife of Pundeo Singh
3. Most. Lalmuni Devi Daughter of Dharam Singh, Wife of Basudeo Singh 2 And 3 Resident of Village- Bishunpura, P.S.- Jalalpur, District- Saran
4. Chandrawati Devi Daughter of Dharam Singh, Wife of Shankar Singh
5. Rajpati Devi Daughter of Dharam Singh, Wife of Maheshwar Singh 4 And 5 Are Resident of Village- Sonawli, P.S.- Mashrakh, District- Saran
6. Nagendra Singh Son of Late Shivji Singh
7. Raj Kumar Singh Son of Late Shivji Singh
8. Ranjan Singh Son of Late Shivji Singh
9. Most. Phoolmati Devi Wife of Late Shivji Singh
10. Parmila Devi Daughter of Late Shivji Singh, Wife of Ram Pravesh Singh
11. Indu Devi Daughter of Late Shivji Singh, Wife of Yogendra Singh
12. Deo Kumari Daughter of Late Shivji Singh, Wife of Surat Singh 6 to 12 are Resident of Village- Manopali, P.S.- Baniyapur, District- Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Rai
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 03-02-2015

Heard the learned counsel for the petitioners.

The grievance of the petitioners is that though the prayer

of the plaintiff to examine a witness (a lady) has been allowed by the court but the defendant-petitioners has not been served a copy of the examination-in-chief on affidavit as required by Order 18 of the Code of Civil Procedure.

The learned counsel, however, during the course of argument, has submitted that the Commissioner has given a notice fixing the date on which the deposition of the said witness was to be recorded and has prayed for disposal of this matter with liberty to the petitioners to raise appropriate objection before the Commissioner in accordance with law.

This writ application is disposed of with liberty to the petitioners to raise appropriate objection before the Commissioner which shall be dealt with in accordance with law.

Devendra/-

(V. Nath, J)

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