

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.713 of 2016

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Sri Virendra Kumar

.... Appellant/s

Versus

Sri Yogendra Prasad Yadav & Anr

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Jai Narain Thakur

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 26-09-2016

Heard learned counsel for the petitioner.

Perused the impugned order.

The court below has allowed the substitution application by the impugned order dated 27.04.2016 passed in Title Suit No.300 of 2012 by Subordinate Judge-I, Danapur.

The only grievance of the petitioner is that one Manoj Kumar had died in the year 2006, as such, he is not a party in the suit. Therefore, there was no question of substitution arises. According to the learned counsel, he has no grievance if the heirs of Manoj Kumar are brought on record under Order 6 Rule 17 of the Code of Civil Procedure.

So far the submission of learned counsel for the petitioner is concerned, it is only procedural matter and does not affect the rights of the parties nor it prejudices the petitioner.

Thus, I find no reason to interfere with the impugned

order in exercise of supervisory jurisdiction. Accordingly, this civil miscellaneous application is dismissed.

Harish/-

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(Mungeshwar Sahoo, J)

