

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.707 of 2016

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Kamta Singh

.... Appellant/s

Versus

Ravish Singh

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar No.- 4

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 29-08-2016 Heard the learned counsel for the defendant petitioner
(wrongly typed as plaintiff petitioner).

Perused the order dated 27.04.2016 which is under
challenge in this application under Article 227 of the Constitution
of India.

From perusal of the impugned order, it appears that the
Court below has passed a reasoned order and recorded clear
finding that frivolous application has been filed by the petitioner
only with a view to delay the disposal of the suit for indefinite
period.

The learned Court below also recorded finding that the
evidence of the petitioner was closed on 19.11.2014 and again on
the prayer of the petitioner, their evidence was reopened on
7.1.2015 on payment of cost of Rs.400/- and thereafter, again this
frivolous application has been filed by the petitioner.

In view of the above reasoned order by the Court below, in my opinion, it is not a jurisdictional error nor it can be said that order passed by the Court below is in the manner not permitted by law. Therefore, in my opinion, no case for interference in exercise of supervisory jurisdiction is made out. As such this Civil Misc. Application is dismissed.

The Court below is directed to proceed without giving unnecessary adjournment.

(Mungeshwar Sahoo, J)

Sanjeev/-

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