

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.622 of 2016**

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Kumar Shankar Singh

.... Appellant/s

Versus

Kumar Sunil Singh & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dr. Rajesh Kumar Singh

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 20-09-2016

Heard learned counsel for the petitioner and the
learned counsel for the respondents.

2. Perused the impugned order dated 06.05.2016 in
Partition Suit No. 79 of 2005 passed by the Sub-Judge-V,
Sitamarhi.

3. From perusal of the impugned order, it appears that
chance of rebuttal was granted by the Court to the defendants after
amendment by terms of order dated 18.07.2013 and, therefore,
pursuant to the said order, the court below has allowed to recall
D.W.-1. The plaintiff is not challenging the order rather the
defendant is challenging. In my opinion, therefore, the court below
has rightly allowed the application. This is not a case for
interference in exercise of supervisory jurisdiction under Article
227 of the Constitution of India. Thus, this civil miscellaneous
application is dismissed.

brajesh/-

(Mungeshwar Sahoo, J)

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