

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.443 of 2016**

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Md. Maniruddin

.... Appellant/s

Versus

Amiruddin @ Amin Ahmad

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shiva Shankar Sharma

For the Respondent/s : Mr.

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

2 26-08-2016

Heard learned counsel, Mr. S.S. Sharma, appearing

for the petitioner.

2. This application, under Article 227 of the Constitution of India, has been filed by the petitioner against the dead part of the order dated 09.06.2016 passed by the learned District Judge, Darbhanga in Misc. Case No. 16 of 2016, whereby, the learned court below while accepting the written statement, directed the petitioner- plaintiff to pay a cost of Rs. 3000/-.

3. In my opinion, no application under Article 227 of the Constitution of India, is maintainable against the order awarding cost by the court below, particularly, when the court below awarded the cost, which is within the jurisdiction of the Court as the petitioner appeared on 25.03.2016 and written statement has been filed after six month i.e. 28.09.2015. Thus, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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