

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1374 of 2016**

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Baskarim Miya

.... Appellant/s

Versus

Ganga Prasad & Anr

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar Singh

For the Respondent/s : Mr.

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

2 16-12-2016 Heard learned counsel Mr. Binod Kumar Singh for the

petitioner.

By this application the petitioner is challenging the
order dated 21.06.2010 i.e. passed by Subordinate Judge-III,
Bettiah, West Champaran in Partition Suit No.201 of 2007 i.e.
after six and half years.

It may be mentioned here that by the impugned order
the application under Order 1 Rule 10 CPC has been rejected.

On this ground alone that the petitioner is challenging
the order after six and half years I am not inclined to interfere with
the impugned order in exercise of supervisory jurisdiction under
Article 227 of the Constitution of India.

Further it is submitted that a separate application in the
year 2013 has been filed by the petitioner praying for same relief
i.e. for addition of party. Now, therefore, the court below shall



decide the same in accordance with law without being influenced by the order dated 21.06.2010 and this rejection order by this court.

With this direction, this civil miscellaneous application is disposed of.

(Mungeshwar Sahoo, J)

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