

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1565 of 2016**

=====

M/s Balaji Transport & Anr

.... Appellant/s

Versus

The Chairman, Punjab National Bank & Ors

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sanjay Kumar Ghosarvey

For the Respondent/s : Mr. Kumar Priya Ranjan

=====

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

ORAL ORDER

2 23-12-2016

Heard learned counsel for the petitioners.

Perused the impugned order dated 23.08.2016 passed by the Subordinate Judge-XI, Patna in Title Suit No.5399 of 2014.

It appears that the petitioners filed the aforesaid suit claiming for compensation of Rs.2,51,85,000/- on the ground that the bank authorities have auction sold two trucks of the plaintiff in lesser amount than the valuation of the truck. The plaintiff thereafter filed an application for issuance of *dasti summon* for examining one witness i.e. Satyendra Narayan Singh for proving his valuation certificate. The court below by the impugned order held that in view of relief sought for by the plaintiff the evidence of the penal valuer of the insurance company is not at all relevant because both the trucks have already been auction sold by the bank defendant in an open public domain.

Now, therefore, in view of the finding by the court



below no case for interference in supervisory jurisdiction is made out and thus, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

Harish/-

U			
---	--	--	--

