

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1358 of 2016**

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Rajeshwar Singh & Ors

.... Appellant/s

Versus

Krishna Murari Sharma & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjan Kumar Dubey

For the Respondent/s : Mr.

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

ORAL ORDER

2 19-12-2016 Heard learned counsel Mr. Ranjan Kumar Dubey for
the petitioners.

Perused the impugned order dated 15.09.2016 passed
by Subordinate Judge, Paliganj, Patna in Title Suit No.861 of 1989
whereby the learned court below rejected the application filed by
the petitioners dated 24.08.2016 under Section 151 CPC praying
for direction to the plaintiff nos.2(A) and 2(B) for production of
the original gift deed.

From perusal of the impugned order, it appears that the
petitioners have already filed the certified copy of the gift deed
and the court below earlier allowed the application filed by the
petitioners on 25.07.2016 on payment of cost of Rs.2,000/- and a
chance was given to the petitioners to adduce evidence to mark the
certified copy of the gift deed as exhibit but instead of complying
the said order this application has been filed on 24.08.2016.



In view of the finding recorded by the court below, in my opinion, this is not a case for interference under Article 227 of the Constitution of India. Thus, this civil miscellaneous application is dismissed.

The court below shall proceed to decide the case without giving unnecessary adjournments.

(Mungeshwar Sahoo, J)

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