

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1290 of 2016**

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Kanti Devi @ Kanti Kumari & Anr

.... Appellant/s

Versus

Sunaina Devi & Anr

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Mishra

For the Respondent/s : Mr.

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

ORAL ORDER

2 07-12-2016 Heard the learned counsel for the petitioner.

Perused the Judgment dated 06.09.2016 passed by learned Addl. District Judge X, Saran at Chapra in Misc. Appeal No.60 of 2012 whereby the learned lower appellate Court dismissed the Appeal and thereby confirmed the order of the trial Court dated 26.11.2012 passed by learned Munsif IIIrd, Chapra in Title Suit No.59 of 2010.

From perusal of the order passed by the trial Court as well as appellate Court, it appears that both the Courts below have concurrently recoded finding on the basis of the materials available on record to the effect that the plaintiff has got prima facie case and balance of convenience is also in favour of the plaintiff.

In view of this concurrent finding of both the Courts below, it cannot be said that the orders are without jurisdiction or the



orders have been passed in the manner not permitted by law or that it occasioned failure of justice. Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction.

Accordingly, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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