

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1414 of 2016

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Raktu Sah

.... Appellant/s

Versus

Bhola Sah & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar No.Iii

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 20-12-2016 Heard the learned counsel for the petitioner.

Perused the impugned order dated 13.09.2016 / 14.09.2016 passed by Sub Judge VIII, Motihari, East Champaran in Final Decree No.361 of 1986.

It appears that the pleader commissioner has already submitted the report. The petitioner instead of filing objection to the pleader commissioner's report has filed an application that the pleader commissioner may be directed to adjust the land sold by registered sale deed of the year 1951 in the share of the person who has sold the property which has been rejected by the impugned order.

Admittedly, during the pendency of the suit, i.e., prior to passing the preliminary judgment and decree, the petitioner never produced this sale deed in the Court below and this was not pleaded in the written statement.



In view of the above facts and circumstances of the case, I do not find any reason to interfere with the impugned order passed by the Court below. Accordingly, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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