

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CIVIL MISCELLANEOUS JURISDICTION No.942 of 2016**

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Kanti Devi

.... .... Appellant/s

Versus

Shashi Kant Prasad & Anr

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Bashishtha Narayan Mishra

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR**

**SAHOO**

**ORAL ORDER**

2 26-10-2016

Heard, Mr. B.N. Mishra, appearing for the petitioner.

Perused the impugned order dated 04.07.2016 passed by the Sub-Judge-I, Bagaha, West Champaran in T.S. No. 19 of 2010, whereby the learned court below rejected the application filed by the present petitioner for being examined as witness on commission.

From perusal of the impugned order, it appears that the court below considered the documents relating to diabetic illness of the petitioner and found that the petitioner is aged about 70 years and that the Court is only six kilometer away from the residence of the petitioner.

In view of the above fact, I find no reason to interfere with the impugned order. Thus, this civil miscellaneous application is dismissed.

brajesh/-

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**(Mungeshwar Sahoo, J)**