

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.166 of 2013

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1. Gajendra Prasad Singh Baldeo Prasad Singh Resident Of Village -
Pahepur, P.S. Samastipur (Muffasil), Distt. Samastipur

.... Petitioner/s

Versus

1. Yugeshwar Prasad Singh Late Vikkan Singh Resident Of Village -
Pahepur, P.O. Shambhupatti, P.S. Samastipur (Muffasil), Distt. Samastipur
2. Nageshwari Devi W/O Late Parmeshwar Singh Resident Of Village -
Pahepur, P.O. Shambhupatti, P.S. Samastipur (Muffasil), Distt. Samastipur
3. Sunil Kumar Singh Parmeshwar Singh Resident Of Village - Pahepur,
P.O. Shambhupatti, P.S. Samastipur (Muffasil), Distt. Samastipur
4. Rakesh Kumar Singh Parmeshwar Singh Resident Of Village - Pahepur,
P.O. Shambhupatti, P.S. Samastipur (Muffasil), Distt. Samastipur
5. Virendra Prasad Singh Late Baldeo Prasad Singh Resident Of Village -
Pahepur, P.O. Shambhupatti, P.S. Samastipur (Muffasil), Distt. Samastipur
6. Nagendra Prasad Singh Late Baldeo Prasad Singh Resident Of Village -
Pahepur, P.O. Shambhupatti, P.S. Samastipur (Muffasil), Distt. Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

4 02-08-2016

Heard Mr.Singh, learned counsel appearing

for the petitioner.

The present revision application has been
filed against the order by which the learned court below has
allowed the prayer of the defendants as made under Section 10
C.P.C and has stayed the proceeding of the suit till the decision of
earlier partition suit no.166/2008.

After considering the submissions made on
behalf of the petitioners and from the perusal of the impugned

order, it is manifest that the same issue of law and fact between the parties with regard to the same property is directly and substantially in issue in the earlier partition suit no.166/2008. This fact has been also accepted by the learned counsel appearing for the petitioner. This Court does not find that the learned court below has committed error of jurisdiction or material irregularity in passing the impugned order.

The revision application is, accordingly, dismissed.

(V. Nath, J)

Nitesh/-

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