

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1638 of 2016

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Shambhu Das @ Shambhu Kumar

.... Petitioner/s

Versus

Keshaw Das & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 12-07-2016 Heard the learned counsel, Mr. Sunil Kumar Singh for the petitioner and the learned counsel, Mr. Chandramauli Chaurasia for the respondent Nos.1 and 2.

Perused the order dated 22.09.2015 passed by Sub Judge V, Hajipur, Vaishali in Partition Suit No.201 of 2007. It appears that partition suit has been filed with respect to Math property by one Mahanth against another Mahanth. The defendant-Mahanth, Tilak Das died and in his place, the Mahanth who inherited him i.e. Mahanth Budhan Das was substituted.

From perusal of the impugned order, it appears that the parties have compromised and then the case is pending for judgment. At this stage, application for addition has been filed by the petitioner on the ground that he is the son of Mahanth Tilak Das. The Court below by the impugned order held that he is stranger to the property of Math and rejected the application.

Before this Court also, only the ground taken by the petitioner is that he is the son of Mahanth Tilak Das.

In view of the above facts and circumstances of the case, in my opinion, the Court below has rightly rejected the application. Thus, I find no reason to interfere with the impugned order.

Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

Saurabh/-

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