

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1642 of 2016

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Gyanti Devi

.... Petitioner/s

Versus

Hemant Kumar Singh & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Rai

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

3 29-02-2016 Heard the learned counsel, Mr. Arun Kumar Rai, for the petitioner and the learned counsel, Mr. Ganapaty Trivedi, on behalf of the respondent No.9.

By the impugned order dated 19.08.2015, the learned ADJ, II, Chapra in Probate Case No.60 of 2009 has allowed the application under Order I Rule 10 of the Code of Civil Procedure filed by the intervener respondent No.9.

From perusal of the impugned order, it appears that substantial part of the Will was sold by the heirs of Vijay Kumar Singh who was the admitted owner of the property to one Ram Pravesh Rai by registered sale deed dated 31.01.2009 who in turn sold the same to the present intervener- respondent No.9, Prabha Gupta, by registered sale deed dated 18.11.2013. Therefore, the Court below has rightly held that the intervener has got direct

interest in the subject matter of the probate case. In my opinion, therefore, this writ application has got no merit and accordingly, it is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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