

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1285 of 2016

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Naresh Jha

.... Petitioner

Versus

Radha Devi & Ors

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Jha, Advocate

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 07-12-2016

Heard the learned counsel for the petitioner.

Perused the impugned order dated 27.07.2016 passed by Munsif-II, Begusarai in final decree proceeding in T.S.(F.) No 27 of 1961 whereby the learned court below rejected the application filed by the petitioner for stay of further proceeding in the preparation of final decree.

It is admitted fact that the partition suit has been decreed preliminarily and pursuant to the said decree survey knowing Pleader Commissioner has been appointed and the survey knowing Pleader Commissioner is preparing the Takhtabandi according to the rights of the parties determined in the preliminarily judgment and decree. The final decree is also appealable and, therefore, there is no question of stay of the further proceeding in preparation of final decree arises.

Thus, I find no reason to interfere with the impugned



order in exercise of supervisory jurisdiction. Accordingly, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J.)

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