

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5214 of 2015

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Parbati Devi

.... Petitioner/s

Versus

Jagarnath Pal

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Moleshwar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 16-03-2016 Learned counsel for the petitioner submitted that the impugned order suffers from error apparent on the face of the record.

2. However, from perusal of the order dated 13.02.2015 passed by the Sub-Judge-Ist, Bhabhua in T.S. No. 02 of 2014/4212 of 2014, it appears that the court below only granted a chance to the other side to produce and examine the expert opinion. The court has the jurisdiction to re-open the case and the court below has rightly reopened the case but the objection is that the court below wrongly recorded in the order sheet that on 03.03.2013, the advocate of the respondent was not present and without hearing him order was passed. If it is at all the error apparent on the face of the record, the petitioner is at liberty to move review

application before the court below. Thus, this writ application is disposed of with the aforesaid direction.

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(Mungeshwar Sahoo, J)