

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13461 of 2013

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Md. Guljar Son Of Late Md. Ismail Resident Of Village- Ajokopa, P.S.-
Rupauli, District- Purnea

.... Petitioner/s

Versus

Bibi Yakina Khatoon Wife Of Md. Rahman Resident Of Village- Hathiona,
P.S.- Bihariganj, District- Madhepura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shaishav Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 03-10-2016

Heard learned counsel for the petitioner and
respondent.

This application under Article 227 of the
Constitution of India is directed against the order dated 29.04.2013
passed in Misc. Case No. 01 of 2008, whereby the learned Sub-
Judge-V, Purnia allowed the aforesaid Miscellaneous Case filed
on behalf of respondent under Order IX Rule 13 of the C.P.C. for
setting aside the *Ex parte* decree dated 17.09.2007 passed in Title
Suit No. 168 of 2004 and to restore the suit.

On going through the impugned order, I do not
find any illegality amounting to abuse of process of Court for
interference in extraordinary jurisdiction. Accordingly, this
application is dismissed.

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(Rajendra Kumar Mishra, J)