

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6750 of 2014**

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Dhrub Sah & Anr

.... .... Petitioner/s

Versus

Dhanraj Sah & Ors

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR**  
**SAHOO**  
**ORAL ORDER**

2 16-02-2016

Perused the order dated 10.02.2014.

Notices were issued in admission matter.

The learned counsel, Mr. Khatim Reza appeared on behalf of respondent Nos.1 to 5.

From perusal of the impugned order, it appears that application for recall of all the witnesses examined by the plaintiffs, for cross-examination by the respondents, has been allowed by the Court below.

From perusal of the order, it further appears that it is non-speaking order and no reason has been assigned. How many witnesses have been examined and since from which date to which date and on which date, the present petitioner appeared and when he fell ill and what was the nature of his illness etc. etc.

On this ground alone, the impugned order is liable to be set aside. Accordingly, the impugned order passed by the Court

below is hereby set aside and the matter is remanded back to the Court below for passing a fresh judicial order according to law after hearing the parties.

Accordingly, this writ application is allowed.

**(Mungeshwar Sahoo, J)**

Saurabh/-

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