

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1045 of 2016**

Ashok Chaudhary

Versus

Indu Mukhi Devi & Ors

.... Appellant/s

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Sabal Kumar Jha

For the Respondent/s : Mr.

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

2 09-11-2016

Heard learned counsel for the petitioner.

Perused the impugned order dated 15.06.2016 passed by Subordinate Judge-V, Darbhanga in Partition Suit No.68 of 2001 whereby the court below has only allowed the substitution application filed by the plaintiffs-respondents after condoning the delay of about five months in filing the substitution application.

Considering the nature of the order whereby only substitution application has been allowed, I find that no prejudice is caused to the petitioner nor it occasioned failure of justice nor it can be said that the court below has passed the order in the manner not permitted by law. Thus, I find no reason to interfere with the impugned order and accordingly, this civil miscellaneous application is dismissed.

Harish/-

(Mungeshwar Sahoo, J)

U			
---	--	--	--