

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1310 of 2016**

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Jogendra Mahto & Ors

.... Petitioner/s

Versus

Shankar Mahto & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kapil Deo Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 09-12-2016 Heard the learned counsel, Mr. Arun Kumar Prasad for
the petitioners.

Perused the impugned order dated 06.08.2016 passed by
Sub Judge VI, Patna City in Title Suit No.569 of 1989 whereby
the learned Court below has allowed the application filed by the
substituted defendants for being examined as witness in the suit.

As submitted by the learned counsel, Mr. Arun Kumar
Prasad for the petitioners, the evidence of the defendants is going
on and it has not been closed still today. In such circumstances,
there is no question of debarring the substituted defendants who
are party to the suit from adducing evidence.

Accordingly, I find no reason to interfere with the
impugned order in exercise of supervisory jurisdiction.
Accordingly, this Civil Miscellaneous application is dismissed.

Saurabh/-

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(Mungeshwar Sahoo, J)

