

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6245 of 2015

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Manoj Kumar @ Bablu

.... Petitioner/s

Versus

Most. Rama Devi & Ors.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Laxmi Narayan Das

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 30-03-2016

Heard Mr. Laxminarayan Das, learned counsel for
the petitioner.

By the order dated 09.02.2015, the learned District
Judge, Patna has condoned the delay and admitted Title Appeal
No. 65 of 2009 after recording the finding that the respondents,
who are the appellants in Title Appeal, were prevented by
sufficient cause for not filing the appeal within the stipulated
period.

So far this finding recorded by the learned District
Judge is concerned, it is pure finding of fact. The Hon'ble
Supreme Court in the case of Jay Singh Vs. Municipal
Corporation of Delhi,(2010) 9 SCC 385, has held that the High
Court cannot lightly or liberally act as an appellate court and re-
appreciated the evidence. Generally, it cannot substitute its own
conclusions for the conclusions reached by the Court below or the

statutory/ quasi-judicial Tribunals.

In such view of the above settled proposition of law, no case for interference is made out in exercise of supervisory jurisdiction. Accordingly, this application is dismissed.

(Mungeshwar Sahoo, J)

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