

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5978 of 2016

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Sheo Pujan Bhagat

.... Petitioner/s

Versus

Durgesh Kumar Singh & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 06-04-2016 Heard the learned counsel, Mr. Naresh Prasad, for the petitioner.

By order dated 21.01.2016, the learned Sub Judge Ist, Gopalganj in Title Suit No.154 of 2009 marked some documents / exhibits on behalf of the defendants.

The grievances of the petitioner is that at very belated stage, the documents have been marked on behalf of the defendant. The evidence of the plaintiff have already been closed. The learned counsel further submitted that in the ordersheet, the Court below wrongly mentioned that the petitioner consented for marking of the document.

From perusal of the impugned order, it appears that the Court below finding the documents to be the public document has marked the same as exhibit in the suit.

So far belated stage is concerned, it may be mentioned here that the Court has the jurisdiction to mark the documents even at the stage of argument also as has been held by the Hon'ble Supreme Court in the case of ***K. K. Velusamy Vs. N. Palanisamy*** ***2011 (11) SCC 275.***

Accordingly, I find no merit in this writ application and thus, this writ application is dismissed.

However, the petitioner is at liberty to raise the reliability, relevancy or admissibility or otherwise of the documents at the time of argument of the case.

(Mungeshwar Sahoo, J)

Sanjeev/-

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