

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.426 of 2016

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Shyam Narain Gupta & Anr

.... Appellant/s

Versus

Vikas Kumar & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nirmal Kumar Shrivastava

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 24-08-2016 Heard the learned counsel, Mr. Bimal Kumar Srivastava, for the petitioner.

Perused the impugned order dated 26.04.2016 passed by Sub Judge I, Sasaram in Title Suit No.516 of 2015 whereby the learned Court below rejected the intervention application filed by the petitioners on the ground that there had already been partition between the heirs of Abhaya Chandra Gupta.

It may be mentioned here that this partition suit has been filed by the heirs of Bijay Kumar Gupta against the other heirs of Vijay Kumar Gupta.

From perusal of the impugned order, it appears that on the basis of documentary evidences which is admitted document, the Court below recorded a clear finding that there had already been partition between the heirs of Abhay Kumar Gupta which indicate that there had already been partition between Vijay Kumar Gupta

and his brother.

In view of this finding of fact, this Court cannot interfere this finding of fact in exercise of supervisory jurisdiction and substitute its own finding for the purpose of supervising the order passed by the Court below.

Thus, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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