

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.439 of 2016

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Jai Kumar Ram & Ors

.... Appellant/s

Versus

Radha Devi & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anish Chandra Sinha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 26-08-2016 Heard the learned counsel, Mr. Anish Chandra Sinha, for
the petitioner.

Perused the impugned order dated 2.4.2016 passed by
learned Execution Munsif, Ara in Eviction Case No.3 of 2003
whereby the learned Court below allowed the application filed by
the plaintiff respondent under Order 1 Rule 10 CPC and has
deleted the name of defendant on the ground mentioned in the
order impugned.

According to the learned Court below, the plaintiff is not
desirous of fighting the case against the said defendants whose
names have been deleted as some of them has vacated the suit
premises and some have left the suit premise and in fact the other
remaining defendants are in occupation of the suit premises.

In view of the above facts and circumstances of the
case, when the Court below has exercised the jurisdiction under

Order 1 Rule 10 CPC, in my opinion, no case for interference in supervisory jurisdiction is made out.

Thus, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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