

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10493 of 2015

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Vijay Kumar Khetan

.... Petitioner/s

Versus

Sushil Khetan & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tarkeshwar Pd. Verma, Advocate.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 27-04-2016

Heard learned senior counsel Mr. Ganpati Trivedi on
behalf of the petitioner.

It appears that both the Courts below recording
finding that the plaintiff-petitioner has got no prima-facie and the
balance of convenience is not in favour of the plaintiff-petitioner,
rejected the injunction application.

It appears that the partition suit was filed by the
plaintiff. In the said partition suit, the defendant took defence that
there had already been previous partition, thereafter injunction
application was filed. The trial Court rejected the same. The
appellate Court has confirmed the order. Now therefore, in
exercise of supervisory jurisdiction under Article 227 of the
Constitution of India, the reasonings assigned by the court below
cannot be examined or the order cannot be interfered with on the
ground that some of the evidences or facts were not considered by

the appellate Court. I, therefore, find no reason passed by both the courts below and thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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