

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15670 of 2014

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Lal Babu Yadav S/o Late Sita Ram Yadav resident of Mohalla Hans Raj Kee
Deorhi, Sadargali (Banwari Tola), P.S. Khajekalan, Dist - Patna.

.... Petitioner/s

Versus

1. Leela Devi W/o Late Dwarka Pd. resident of Mohalla - Hans Raj Dee Deorhi,
P.S. Khajekallan, Dist - Patna.
2. Amar Nath Yadav S/o Sita Ram Yadav resident of Mohalla Hans Raj Kee
Deorhi, Sadargali (Banwari Tola), P.S. Khajekalan, Dist - Patna.
3. Rahul minor son of Amarnath Yadav
4. Rohit minor son of Amar Nath Yadav
5. Rani minor daughter of Amar Nath Yadav, 3,4,5 are living under the
guardianship of natural father Amar Nath Yadav as Well wisher and next friend
all are resident of Mohalla Hans Raj Kee Deorhi, Sadar Gali (Banwari Tola)
P.S. Khajekallan, Dist - Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 27-10-2016

Heard learned counsel for the petitioner.

By the impugned order, the learned court below has
rejected the petition filed on behalf of the petitioner under Order 21
Rule 99 and Section 144 C.P.C. praying for restoration/recovery of
possession.

From the perusal of the impugned order, it appears that
the petitioner has not impleaded the necessary parties to the



miscellaneous case in the learned court below. In the present application also the petitioner has not impleaded the necessary parties. The learned court below has rightly considered the facts and circumstances of the case and thereafter has rejected the petitioner filed by the petitioner. On behalf of the petitioner, it could not be shown or established that any illegality has been committed by the learned court below in passing the impugned order. This Court, therefore, is not inclined to interfere with the impugned order.

The application is accordingly dismissed.

(V. Nath, J)

Devendra/-

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