

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11641 of 2015

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Dasai Sharma

.... Petitioner/s

Versus

Ramrati Devi @ Bhagrathi Devi & Anr

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 29-04-2016

Heard learned counsel, Mr. P.K. Pandey, appearing
for the petitioner.

2. Admittedly, the cross-objection has been filed by the respondents in the title appeal. It is admitted fact that the respondent, who has filed the cross-objection was party in the suit and in the suit, no share has been allotted in favour of the respondent, who has filed the cross-objection. Therefore, after getting notice, the cross-objection has been filed against that part of the decree, whereby, no share has been granted to him. The court below i.e. Additional Session Judge, Motihari in T.A. No. 92 of 1999 has only admitted the cross-objection filed by the respondent under Order 41 Rule 22 C.P.C. recording a finding that it is not barred by law of limitation. Notices were received on 19.09.2014 and the cross-objection has been filed on 10.10.2014. Therefore, since the court below has only admitted that cross-

objection, there is no question of interference in the impugned order in exercise of supervisory jurisdiction arises. Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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