

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11705 of 2013

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Md. Kasim, Son of Late Md. Abbas, Resident of Village Rangamati, Tola Choura
Bhita, P.S. Amour, District Purnea

.... Opposite Party/Petitioner.

Versus

1. Md. Tamizuddin, Son of Md. Ghayassuddin, Resident of Village Rangamati
Tola Choura, P.S. Amour District Purnea.

.....Petitioner-Respondent (1st Set).

2. Md. Sabir.

3. Md. Sahid.

4. Sakir.

5. Jakir Hussain.

Sons of Late Yusuf, Son of Late Musaraf.

6. Abdul Ajij, Son of Late Musaraf.

7. Md. Nasim.

8. Md. Touquir.

Sons of Late Md. Muslim.

9. Bibi Bhusia, Son of Late Md. Muslim, Wife of Faiyaz, Resident of Village
Simalbari, P.S. Amour District Purnea.

10. Farjana Begum, Daughter of Late Md. Muslim.

11. Bibi Anjala, Daughter of Late Md. Muslim, Wife of Md. Jamshed, Resident of
Village Sishabari, P.S. Routa, District Purnea.

12. Ghayassuddin, Son of Late Sirajuddin.

13. Md. Tousir, Son of Late Md. Muslim, Resident of Village Rangamati, Tola
Choura, P.S. Amour District Purnea

Respondent Nos.2 to 8, 10 and 12 are resident of Village-Rangamati, Tola
Choura Bihta, P.S. Amour, District-Purnea.

.....Opposite Parties-Respondents 2nd Set.

.... Respondents.

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Appearance :

For the Petitioner : Mr.

For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 29-09-2016

Heard.

2. This writ application, filed on behalf of the petitioner,

under Article 227 of the Constitution of India, is directed against the

order dated 06.03.2013 passed in Misc. Case No.7 of 2007, whereby the Sub Judge-V, Purnea, allowed the application of the petitioner-Respondent (1st Set) filed for setting aside the abatement of the case in respect of Md. Tousir, son of one of the opposite parties, Late Md. Muslim, whose other legal heirs were already on record as opposite parties, on payment of cost of Rs.500/-.

3. On going through the impugned order, I find no illegality therein amounting to abuse of the process of the court for interference with the same in an extra-ordinary jurisdiction of this Court under Article 227 of the Constitution of India.

4. Accordingly, this writ application is dismissed.

(Rajendra Kumar Mishra, J)

P.S./-

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