WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19059 of 2015

==========

Sri Ram Janki Ji Mandir

.... Petitioner/s

Versus

Most. Sumitra Devi & Ors.

.... Respondent/s

==========

Appearance :
For the Petitioner/s : Mr. Ashok Kumar
For the Respondent/s : Mr.

==========

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO

ORAL ORDER

2 30-06-2016 Heard the learned counsel, Mr. Srinandan Prasad Singh for the petitioner.

Perused the impugned order dated 01.09.2015 passed by Sub Judge III, Hajipur in Title Suit No.26 of 1991.

Admittedly, as has been submitted by the learned counsel, the suit is at the stage of argument.

It appears that plaintiff-respondent filed the suit for declaration of title over the suit property. The petitioner was added subsequently as defendant No.2. The petitioner filed application under Order 26 Rule 9 for appointment of Pleader Commissioner to find out the physical feature of the suit land. The learned counsel submitted that the case of the defendant is that the petitioner is the owner of this disputed property.

In view of the rival contention of the parties regarding title, there is no question of appointment of Pleader Commissioner

arises as the dispute is with regard to title. In such circumstances, at the stage of argument, it is not necessary to appoint Pleader Commissioner.

I, therefore, find no reason to interfere with the impugned order. Thus, this writ application is dismissed.

NOT OFFICIAL

(Mungeshwar Sahoo, J)

Saurabh/-

U		T	