

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19075 of 2015

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Sachchida Nand Singh & Ors

.... Petitioner/s

Versus

Monu Kumar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 30-06-2016

Heard learned counsel Mr. Anant Kumar Bhashkar for
the petitioners.

Perused the impugned order dated 04.09.2015. It appears that earlier the same prayer was rejected thrice but by the impugned order dated 04.09.2015 the learned Subordinate Judge-II, Saran at Chapra passed in Title Suit No.144 of 1996 considering the decision of the Hon'ble Supreme Court held that all the documents should be marked during course of collection of evidence and then allowed the application filed by the respondents. Now, therefore, when the court below has exercised his jurisdiction under Section 151 of the Code of Civil Procedure it cannot be said that the Court has no jurisdiction to receive the documentary evidences. The Hon'ble Supreme Court in the case of **K.K. Velusamy Vs. N. Palanisamy, (2011) 11 Supreme Court Cases 275** has held that the Court has the jurisdiction to

receive even the documentary evidences when the case has been posted for judgment.

In such view of the matter, I do not find any reason to interfere with the impugned order. Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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