

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6535 of 2014

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1. Radha Krishna Tiwari Son Of Sri Ram Tiwari Resident Of Village -
Nainijore, Police Station - Brahmpur, District - Buxar

.... Petitioner/s

Versus

1. Bindeshwari Tiwari Son Of Ram Brichh Tiwari
2. Ashok Tiwari Son Of Shyam Deo Tiwari
3. Vinay Tiwari Son Of Shyam Deo Tiwari
4. Binod Tiwari Son Of Shyam Deo Tiwari
5. Brij Bihari Tiwari Son Of Ram Ahga Tiwari
6. Sukhdeo Tiwari Son Of Ram Cheese Tiwari All 1 To 6 Are Resident Of
Village - Bagohi, And At Presently Residing At Belhari, P.S. Haldi, P.O.
Rudrapur, District - Balia (U.P.)
7. Gitanjali Kuer Wife Of Late Kamlesh Tiwari
8. Santosh Tiwari Son Of Late Kamlesh Tiwari
9. Raju Tiwari Son Of Late Kamlesh Tiwari
10. Tuntun Tiwari Son Of Late Kamlesh Tiwari
11. Byasmuni Tiwari Son Of Late Ram Balak Tiwari
12. Sidhnath Tiwari Son Of Jagdish Tiwari
13. Jaigovind Tiwari Son Of Shiv Prasad Tiwari
14. Ram Behari Tiwari Son Of Rajgrihi Tiwari
15. Behari Pandey Son Of Yadunandan Pandey
16. Gopi Pandey Son Of Vashishth Pandey
17. Indrasan Pandey Son Of Sunder Pandey
18. Kashinath Tiwari Son Of Ram Jatan Tiwari
19. Rama Shankar Tiwari Son Of Parsuram Tiwari
20. Shyam Bihari Tiwari Son Of Kailash Tiwari
21. Radha Krishna Tiwari Son Of Sri Ram Tiwari
22. Ram Rekha Tiwari Son Of Deo Dutt Tiwari
23. Nagma Yadav Son Of Ram Bachan Yadav
24. Radha Krishna Yadav Son Of Ram Bachan Yadav
25. Ram Govind Yadav Son Of Richhan Yadav
26. Ishwar Dayal Yadav Son Of Richhan Yadav
27. Brahmddeo Pandey Son Of Kailash Pandey
28. Raj Narayan Pandey Son Of Mahesh Pandey
29. Naresh Pandey Son Of Mahesh Pandey
30. Jhhakad Pandey Son Of Dhani Pandey
31. Baijnath Pandey Son Of Ganesh Pandey
32. Mohan Pandey Son Of Sunder Pandey
33. Rajgrihee Tiwari Son Of Liladhar Tiwari
34. Brij Bihari Tiwari Son Of Late Radha Tiwari
35. Tej Narayan Tiwari Son Of Late Adalat Tiwari
36. Shivjee Tiwari Son Of Late Adalat Tiwari
37. Kishun Dutt Tiwari Son Of Late Adalat Tiwari
38. Raj Narayan Tiwari Son Of Late Raj Ballav Tiwari
39. Bhim Tiwari Son Of Late Raj Ballav Tiwari
40. Lallan Tiwari Son Of Late Raj Ballav Tiwari
41. Manu Tiwari Son Of Late Raj Ballav Tiwari
42. Siya Ram Tiwari Son Of Vasudev Tiwari

43. Lal Mohar Tiwary Son Of Dhokal Tiwary
44. Dharam Nath Tiwary Son Of Jagdayal Tiwary
45. Mahabir Tiwary Son Of Dhokal Tiwary
46. Thakur Tiwary Son Of Dhokal Tiwary
47. Ramji Tiwary Son Of Deodhari Tiwary
48. Rang Nath Tiwary Son Of Deodhari Tiwary
49. Jangli Tiwary Son Of Late Manohar Tiwary
50. Vishambhar Tiwary Son Of Late Manohar Tiwary
51. Chhathu Tiwary Son Of Raja Tiwary All 7 To 51 Are Resident Of
Village - Nainijore, Police Station - Brahmpur, District - Buxar

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 29-01-2016

Heard learned counsel for the petitioner.

By the impugned order dated 24.01.2014, learned
Munsif, 1st, Buxar decided the preliminary issue with respect to
valuation of the suit property and recorded a finding that the suit
is within the pecuniary jurisdiction of the said court in T.S. No.
226 of 1993.

From perusal of the impugned order dated
24.01.2014, it appears that the court below, after consideration of
the evidences of both the parties, which were adduced in support
of their respective case of their valuation, recorded a clear finding
that the defendants failed to prove the valuation of the suit
property beyond the jurisdiction of the court.

In view of the aforesaid fact, this finding of fact in

exercise of supervisory jurisdiction cannot be interfered with as this Court is not exercising the appellate nor revisional jurisdiction. Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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