

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12347 of 2013

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Rajendra Prasad Singh, Son of Late Panna Singh, Resident of Mohalla - Gangjala,
Ward No. 08-19/16 Under Municipal Council Saharsa, P.S. and District – Saharsa.

.... Petitioner.

Versus

1. The State of Bihar through the Collector, Saharsa.
2. The Circle Officer, Saharsa, P.S. and District – Saharsa.
3. Renu Kumari, Wife of Shachidra Kumar Singh, Resident of Village -
Laxminia, P.S. Singheshwar Sthan, District – Madhepura.
4. Arvind Prasad Singh, S/O Late Radha Charan Singh, Resident of Village -
Barail, P.S. and District – Supaul.
5. Pushpa Singh, Wife of Parmanand Singh, Resident of Village / Mouza -
Saharsa, Mohalla (Tola) Gangjala, Ward No. 6/19, P.S. and District - Saharsa

.... Respondents.

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Appearance :

For the Petitioner : Mr. Amarnath Jha, Advocate.

For the State : Mr. Durgesh Nandan, AAG-XIV.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 29-09-2016

Let the counter affidavit filed on behalf of the Respondent

Nos.1 and 2 be kept on the record.

2. Heard.

3. This writ application, filed on behalf of the petitioner,
under Article 227 of the Constitution of India, is directed against the
order dated 14.03.2013 passed in Title Suit No.101 of 2006, whereby
the Sub Judge-III, Saharsa, rejected the application dated 07.08.2012
of the petitioner filed under Order I Rule 10 read with Section 151 of
the Code of Civil Procedure to implead him in the suit being the

necessary party.

4. On going through the impugned order, it appears that the learned trial court has dismissed the application of the petitioner filed under Order I Rule 10 read with Section 151 of the Code of Civil Procedure to implead him in the suit being the necessary party on arriving at the conclusion that there is specific contention of the petitioner about purchasing of Plot No.1547 whereas the land in dispute is related to the Plot No.1547(Ga). As such, I find no illegality in the impugned 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.

5. Accordingly, this writ application is dismissed.

(Rajendra Kumar Mishra, J)

P.S./-

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