

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12060 of 2014

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Jitendra Pathak

.... Petitioner/s

Versus

Jagdeo Pathak & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO

ORAL ORDER

2 18-02-2016

Perused the order passed by the Court below.

By the impugned order, the Court below has considered the direction of the lower appellate Court whereby only defendant No.9 was granted opportunity to adduce evidence. Prior to adducing evidence, she died and then in her place, the legal representative was substituted as 9 (ka). The petitioner was defendant No.10. He had not filed any appeal before the lower appellate Court, therefore, considering the direction of the lower appellate Court, the Court below has rightly not allowed the defendant No.10 to adduce evidence.

In such circumstances, there is no question of interference in supervisory jurisdiction arises.

Thus, this writ application is dismissed.

Sanjeev/-

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(Mungeshwar Sahoo, J)