

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19450 of 2015

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1. Rajendra Prasad Agrawal Son of Late Arjun Lal Agrawal, Resident of Mohalla - Chuna Gali, Murarpur, District - Gaya.

.... Petitioner

Versus

1. Manish Kumar Agrawal
2. Sandeep Kumar Agrawal, both sons of Gajanand Agrawal, Both Resident of Block - B, Flat No. 34, Abhi Nandan Palance Nalor Rang Awadoot Chowk L.I. Road Pritam Nagar - 2, P.S. Baraita, Surat (Gujrat).
3. Gajanan Agawal, Son of Late Arjun Lal Agrawal, Resident of Block B-407, Surajdeo Apartment in front of Kamal Park Ishwar Main Road Trikow Nagar, P.S. - Barachha Surat, Gujrat.
4. Ashish Kumar Agrawal, Son of Late Arjun Lal Agrawal, Resident of Purani Godown, P.S. Kotwali, District - Gaya.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Jain

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 01-07-2016 Heard learned counsel Mr. Rajendra Kumar Jain, for the petitioner.

The application has been filed under Article 227 of the Constitution of India for restoration of order dated 25.02.2015, passed by learned Sub Judge-1, Gaya, in Title of partition Suit No. 156 of 2008.

Perused the said order. It appears by the said order the application filed by the petitioner under Order 09, Rule 39, CPC, for setting aside the exparte judgment and decree has been allowed with payment of cost of Rs. 7000/-. Since the application

of the petitioner has been allowed it is in favour of the petitioner therefore, there is not question of restoration of the order arises in exercise of supervisory jurisdiction.

Accordingly, I find no reason to interfere with the impugned order, the petitioner may approach the court concerned, for the redressal of his grievance.

(Mungeshwar Sahoo, J)

siddharth/-

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