

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.257 of 2016

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Madan Kumar Singh & Ors

.... Petitioner/s

Versus

Bal Krishna Mahto & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 04-07-2016 Heard the learned counsel, Mr. Binod Kumar Singh, for the petitioner.

By the impugned order dated 01.10.2015, the learned Sub Judge Vth, Begusarai admitted genealogical table granted by Circle Officer, Begusarai and marked the same as exhibit in Title Suit No.223 of 2002.

The learned counsel submitted that the respondent has already admitted genealogical table filed by plaintiff, therefore, the Court below could not have marked the said document treating the same as public document which is contrary to the genealogical table filed by the plaintiff that too when the suit has already been substantially heard by the Court.

Perused the order passed by the Court below. From perusal of the impugned order, it appears that the Court below found that the genealogical table filed by the respondent has been issued by

the Circle Officer and, therefore, it appears to be a public document.

So far the submission of the learned counsel that it is not public document or it is contrary to the plaintiffs' genealogical table or that the same has been filed malafidely is concerned, that may be the matter which can very well be considered by the Court below at the time of final disposal / hearing of the suit itself. But certainly the Court has the jurisdiction to receive evidences at this stage. According to the Court below for the ends of justice, it is required to receive in evidence and, therefore, I do not find any reason to interfere with the impugned order.

Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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