

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8208 of 2014

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Umesh Sharma @ Umesh Singh son of Late Shyam Narain Sharma
Resident of Village- Rampur Chauram Police Station- Arwal District-
Arwal

.... Petitioner.

Versus

Guriya Devi wife of Shri Keshari Singh Resident of village- Orbigha Police
Station- Karpi, District- Arwal

.... Respondent.

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Appearance :

For the Petitioner/s : Mr. Gajanan Arun
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL JUDGMENT

3 08-03-2016

Heard the learned counsel for the petitioner.

By filing the present writ application under Article 227 of the Constitution of India, the petitioner has challenged the order passed by the learned court below allowing the prayer of the petitioner for taking the photographs of the L.T.I. of Gita Devi from the admitted document, which has been called for from the Jehanabad Registry Office and has refused the prayer of the petitioner for taking the photographs for the purpose of comparison of the L.T.I. appearing on the register of the Arwal Registry Office, which was not admitted by the defendants.

After considering the submissions and perusal of the impugned order, it is manifest that the suit was filed



assailing the legality and validity of the sale deed executed by Gita Devi in favour of the defendant. The prayer of the plaintiff-petitioner for calling for the register from the registration office of Jehanabad was initially allowed. It would be relevant to mention here that the defendant also agreed for comparison of the L.T.I. of Gita Devi admittedly appearing on the register of the registry office. It further appears from the impugned order that the petitioner filed another petition for calling for the register from Arwal Registry Office, which was allowed but the consent of the defendant was not obtained.

The learned court below after considering the entire facts and circumstances of the case and taking into notice that the defendant has admitted the L.T.I. of Gita Devi appearing on the register of Jehanabad Registry Office, has allowed the prayer of the petitioner for taking photographs of the said L.T.I. for the purpose of comparison with the L.T.I. appearing on the disputed sale deed. The learned court below has committed no illegality or error of jurisdiction in rejecting the prayer of the petitioner for taking the photographs appearing on the register of Arwal Registry Office as the same was not admitted by the defendant. This Court, therefore, is not inclined to interdict the impugned order.

The writ application is, accordingly, dismissed.

(V. Nath, J)

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