

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CIVIL MISCELLANEOUS JURISDICTION No.1488 of 2016**

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Surya Narayan Yadav

.... .... Appellant/s

Versus

Ramjee Yadav & Ors

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Pranav Kumar

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR  
SAHOO  
ORAL ORDER**

2      22-12-2016

Heard learned counsel for the petitioner.

Perused the impugned order dated 08.09.2016 passed by Subordinate Judge-I, Araria in Title Suit No.129 of 2005 whereby the court below has rejected the application filed by the plaintiff-petitioner and refused to receive in evidence two documents i.e. trace map and Amin's Report on the ground that those documents are not at all necessary for determination of the real controversies between the parties because this is a suit for partition.

In view of the above facts and circumstances of the case that the plaintiff has filed the partition suit, the question to be decided in the partition suit is only with regard to the share of the plaintiff and whether there is unity of title and possession or whether the properties are not the joint family property or any other defence taken by the defendant. For deciding these issues the



Amin's Report and the trace map are not at all necessary.

Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Accordingly, this civil miscellaneous application is dismissed.

**(Mungeshwar Sahoo, J)**

Harish/-

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