

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.699 of 2016

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Manju Singh

.... Appellant/s

Versus

Arun Kumar Singh

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pranav Kumar Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 23-09-2016 Heard the learned counsel, Mr. Subodh Kumar Jha, for the petitioner.

Perused the impugned order dated 10.05.2016 passed by the Sub Judge Ist, Katihar in Title Suit No.104 of 2011 whereby the learned Court below has rejected the application filed by the petitioner defendant in the Court below seeking permission to sell 12 katha of land for the purpose of meeting the expenses of marriage of last daughter.

From perusal of the impugned order, it appears that the Court below rejected the application on the ground that there is no specification in the application to the effect that which property is sought to be sold and from which side and, therefore, the Court below has rejected the application.

The learned counsel, Mr. Subodh Kumar Jha, for the petitioner submitted that to repay the loan amount, the application

was filed for permission to sell.

As stated above, which land is sought to be sold has not been described. The Court below has rightly exercised a jurisdiction vested in it by law under Section 151 CPC. When the Court below has exercised the inherent jurisdiction, this Court in exercise of supervisory jurisdiction under Article 227, even if another view is possible, cannot take that another view for the purpose of supervising the order passed by the Court below.

Thus, in my opinion, this Civil Misc. application has got no merit and accordingly, it is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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