

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL MISCELLANEOUS JURISDICTION No.966 of 2016

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Amanullah Khan

.... Petitioner/s

Versus

Sabir Khan & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pankaj Kumar Dubey

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO

ORAL ORDER

2 27-10-2016

Heard the learned counsel for the petitioner.

Perused the impugned order dated 10.05.2016 passed by Munsif, Gopalganj in Title Suit No.95 of 2005 whereby the Court below has only allowed the plaintiff's application for producing some additional evidence at the time of hearing of the suit.

When the Court below has exercised a jurisdiction under Section 151 C.P.C., the High Court should not interfere with the order passed by the Court below even if another view is possible and particularly when merely because some of the documents have been received in evidence, it will not amount to relying on the said document. The relevancy or otherwise, validity or otherwise and/or the genuineness or otherwise of the document can very well be gone into at the time of argument of the case.

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

(Mungeshwar Sahoo, J)

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