

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1050 of 2016**

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Jagnarayan Singh

.... Appellant/s

Versus

Shubhrajai Devi & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arabind Nath Pandey

For the Respondent/s : Mr.

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

2 11-11-2016

Heard the learned counsel for the petitioner and the
learned counsel for the respondents.

Perused the impugned order dated 04.08.2016 passed
by the learned Munsif, Kaimur at Bhabhua in Title Suit No.62 of
1995 whereby the learned Court below has marked the public
document as exhibit on behalf of the plaintiff.

The only grievance of the petitioner is that at the time
of argument, the documents have been marked as an exhibit.

From perusal of the impugned order, it appears that the
Court below clearly held that the relationship and the genuineness
of the document shall be considered at the time of final argument
which is going on. The Court below also found that the document,
which is being marked as exhibit, is a public document which is
necessary for decision of the controversies between the parties.
Therefore, I find no reason to interfere with the impugned order in

exercise of supervisory jurisdiction.

The learned counsel for the petitioner prayed for opportunity to adduce evidence in rebuttal.

It may be mentioned here that the document is a public document and the admissibility, relevancy or genuineness of the document shall be considered by the trial court at the time of final argument of the case. Therefore, there is no question of granting opportunity for adducing evidence in rebuttal arises. Thus, the prayer is rejected.

Accordingly, this Civil Miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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