

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.810 of 2016**

Uday Chandra Bhaskar

.... Appellant/s

Versus

The State of Bihar & Ors

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Arvind Kumar Singh

For the Respondent/s : Mr. Smt. Nivedita Nirvikar- Ga7

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

2 03-10-2016

Heard learned counsel for the petitioner.

2. Perused the impugned order dated 24.06.2016 passed by the learned Munsif-III, Gaya in T.S. No. 87 of 2015/65 of 2007, whereby the learned court below rejected the objection application filed by the petitioner and prayer for appointment of a fresh Pleader Commissioner.

3. It appears that the Pleader Commissioner has already been appointed in this case who submitted the report and thereafter he has been examined as witness as would be evident from the impugned order. Cross-examination has been made. Thereafter this application has been filed by the petitioner praying for appointment of fresh Pleader Commissioner but the court below considering the facts and circumstances has rejected the application by the impugned order. Therefore, it cannot be said that the order passed by the court below is irrational or that it has

been passed in the manner not permitted by law and it occasioned failure of justice. Therefore, it is not a case for interference in exercise of supervisory jurisdiction. Thus, this civil miscellaneous application is dismissed.

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(Mungeshwar Sahoo, J)