

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1223 of 2016**

Resham Devi @ Deepmala Dass

.... Appellant/s

Versus

Sushil Kumar

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar

For the Respondent/s : Mr. Nawal Kishore Pd.

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

2 25-11-2016

Learned counsel for the petitioner submitted that by mistake the provision of law has been mentioned as Article 227 of the Constitution of India. Therefore, he may be permitted to delete the said provision. However, according to the learned counsel, the application is maintainable under Section 24 of the Code of Civil Procedure.

Since the provision under Article 227 was mentioned in the provision of law, the case has been registered as civil miscellaneous application. After deletion of the said provision the application is to be registered as M.J.C. application. Therefore, the petitioner is permitted to convert this civil miscellaneous application to M.J.C. application. After conversion of the same, the case may be listed before the appropriate Bench after obtaining leave of Hon'ble the Chief Justice.

Harish/-

U			
---	--	--	--

(Mungeshwar Sahoo, J)