

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1337 of 2016**

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Bhanu Prakash @ Bhanu Pd. Agrawal & Anr

.... Appellant/s

Versus

Shiv Shankar Rai & Anr

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amrendra Kumar Sinha No.-1

For the Respondent/s : Mr.

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

2 15-12-2016 Heard the learned counsel for the petitioner.

Perused the impugned order dated 29.06.2016 passed by Sub Judge V, Begusarai in Title Suit No.52 of 2012 whereby the learned Court below has rejected the application filed by the petitioner under Order XXVI Rule 9 CPC for appointment of pleader commissioner for local inspection of the suit premises and for submitting the report.

It may be mentioned here that the suit has been filed by the plaintiff-respondent for declaration of title. Therefore, there is no question of appointment of pleader commissioner arises because for deciding as to whether plaintiff has got title or not, pleader commissioner has got no role to play.

Accordingly, this Civil Misc. application is dismissed.

Sanjeev/-

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(Mungeshwar Sahoo, J)

