

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1170 of 2016**

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Sikandar Ram & Ors

.... Appellant/s

Versus

Shalik Ram

.... 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**

3 28-11-2016

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

Perused the impugned order dated 26.07.2016 passed by learned Munsif, Bhabhua in Title Suit No.250 of 2015 / 872 of 2015 whereby the learned Court below rejected the application filed by the defendant under Order 26 Rule 10 and 10A of the Code of Civil Procedure.

It appears that the suit has been filed for permanent injunction only. From perusal of the impugned order, it appears that the Court below has considered the case and has recorded finding that the appointment of pleader commissioner will be a futile attempt and will be meaningless.

Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Accordingly, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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