

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.867 of 2016**

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Sushil Kumar Rastogi

.... Appellant/s

Versus

Anup Agrawal & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Lilawati Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

3 17-11-2016

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

Perused the impugned order dated 16.06.2016 passed by
Sub Judge IV, Patna in Title Eviction Suit No.47 of 2002 whereby
the learned Court below rejected the application filed by the
petitioner under Order I Rule 10(2) C.P.C. for being added as
party-defendant in the eviction suit.

It is admitted fact that the tenant is the defendant no.1
which is a partnership firm which can be sued or can sue
independently through any of the partner and, therefore, all the
partners are not necessary in eviction suit.

Thus, I do not find any reason to interfere with the
impugned order in exercise of supervisory jurisdiction.
Accordingly, this Civil Miscellaneous application is dismissed.

Saurabh/-

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(Mungeshwar Sahoo, J)