

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1476 of 2016

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Sashi Bhushan Kumar & Ors

.... Petitioner/s

Versus

Rampari Devi & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Purushotam Sharma

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 08-04-2016 Heard learned counsel Mr. Purushotam Sharma for the

petitioners.

It appears that the application under Section 278 of the Indian Succession Act was filed by the petitioners for issuance of Letters of Administration of the Will executed by Ram Pravesh Pandey. The sisters of Ram Pravesh Pandey filed application for being added as party under Order I Rule 10 of the Code of Civil Procedure. By the impugned order dated 10.12.2015 the learned Additional District Judge-III, found that the interveners are the sisters of the testator and have got interest in the subject matter of probate case and this fact is not denied by the petitioners and, therefore, the application for intervention has been allowed.

The learned counsel relied upon a decision of this Court in A.I.R. 2013 Patna 60.

So far this decision is concerned, it is not applicable in

the present case as the testamentary suit was disposed of by the High Court and in that case interpretation of the High Court Rule was there. Patna High Court Rule is not applied in the proceeding before the court below.

In such circumstances, I find no reason to interfere with the impugned order. Therefore, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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