

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2861 of 2016

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Vijay Bahadur Singh

.... Petitioner/s

Versus

Hanuman Singh & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satyapal Singh

For the Respondent/s : Mr. N.H. Khan- Sc18

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 18-02-2016

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

By the impugned order dated 01.10.2015, the Court below has rejected the intervention application of the petitioner recording a clear finding that the question between the plaintiff and the defendant, which arises for decision, can be effectively decided in absence of the intervener and, therefore, the intervener-petitioner is not necessary party in the suit.

Order I Rule 10 speaks about the jurisdiction of the Court and, therefore, the Court below after recording this finding exercised this jurisdiction rejecting the application filed by the intervener. According to the intervener, the suit property purchased in the name of Megha Singh i.e. the plaintiff's father is the joint family property. This dispute raised by the intervener-petitioner cannot be decided in the present suit which is between

the plaintiff i.e. sons of Megha Singh and the State of Bihar as the property has been recorded in the name of State of Bihar.

In such view of the matter, in supervisory jurisdiction, the order cannot be interfered with. Therefore, this writ application is dismissed.

However, if so advised, the petitioner, if he has got any right, may institute appropriate proceeding before appropriate forum for redressal of grievance.

(Mungeshwar Sahoo, J)

Saurabh/-

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