

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11842 of 2013

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Dwarika Singh, Son of Bageshwar Singh, Resident of Village- Bangara Tole Kalyanpur Pargana- Wara, P.S.- Maharajganj, P.O.- Sihauta Bangara, District- Siwan.

.... Petitioner

Versus

1. Kapil Deo Singh, Son of Gopi Singh, Resident of Village- Bangara Tole Durji, Pargana- Wara, P.S.- Maharajganj, P.O.- Sihauta Bangara, District- Siwan.
2. Shailendra Kumar, Son of Punyadeo Singh Resident Of Village- Bangara Tole Durji, Pargana- Wara, P.S.- Maharajganj, P.O.- Sihauta Bangara, District- Siwan
3. Savitri Devi, Wife of Dwarika Singh, Resident of Village- Bangara Tole Kalyanpur, Pargana- Wara, P.S.- Maharajganj, P.O.- Sihauta Bangara, District- Siwan

.... Respondents

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 26-09-2016

Heard.

Learned counsel for the petitioner is permitted to make necessary correction in paragraph No.5 of the application.

This application has been filed under Article 227 of the Constitution of India filed against the order dated 12.04.2013 passed in Title Appeal No. 102 of 1995, whereunder the learned Ad hoc Additional District and Sessions Judge-III, (Fast Track Court-III), Siwan rejected the application of the appellant/petitioner filed under Order 41 Rule 27 of the C.P.C. for taking certified copy of the Informatory petition dated 11.01.1957 in which Gopi Singh was an

applicant, who is said to be died prior to 1956.

On going through the impugned order, it appears that learned Ad hoc Additional District and Sessions Judge-III, (Fast Track Court-III), Siwan rejected the application of the plaintiff/appellant/petitioner filed under Order 41 Rule 27 C.P.C. rejected the informatory petition, which was not supported to the WS by the petitioner and there is cutting in the document inserting the name of Gopi Singh, I find no illegality to interfere with the same in extraordinary jurisdiction under Article 227 of the Constitution of India and accordingly the present application is dismissed.

(Rajendra Kumar Mishra, J)

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