

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.371 of 2016

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Kedar Singh & Anr

.... Appellant/s

Versus

Hare Ram Singh & Anr

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rakesh Ambastha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

3 31-08-2016

Heard the learned counsel for the petitioner.

Perused the order dated 3.5.2016 passed by Sub Judge-III, Begusarai in Title Suit No.2 of 2012 whereby the Court below has rejected the intervention application filed by the petitioner under Order 1 Rule 10 of the Code of Civil Procedure for being added as party in Title Suit No.2 of 2012.

It appears that the Court below found that the suit has been filed by the plaintiff against the defendants for declaration in relation to partition between the father of the parties in the year 1973. The petitioners have not filed any chit of paper to show that they have got any interest in the property.

From perusal of the genealogical table, it appears that the plaintiff is the fifth generation from the founder of the family and according to the plaintiff, the parties are the sons and descendants

of Ramdhin Singh, i.e., grand father of the plaintiff and the defendants. Ramdhin Singh had five sons and the partition is said to have been taken place between these five sons.

In view of the above finding of the Court below, the order passed by the Court below cannot be said to be without jurisdiction or it has been passed in the manner not permitted by law. Therefore, no case for interference in exercise of supervisory jurisdiction is made out.

Thus, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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