

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8168 of 2012

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Ramjee Singh son of Mungeshwar Singh R/o village Kaush, Police Station
Baroon, Dist. Aurangabad

.... Plaintiff- Petitioner

Versus

- 1 The State of Bihar
 - 2 Aiyasha Khatoon, wife of Ishak Ansari R/o village & Post office Jogia
police station Baroon, Dist. Aurangabad.
 - 3 Deoragi Kuer, wife of late Premchand Mistry.
 - 4 Nagendra Sharma.
 - 5 Vogendra Sharma.
 - 6 Mahesh Sharma
 - 7 Akhilesh Sharma
- Opp. party nos.4 to 7 all are sons of late Nagi Premchand Mistry Opp.
parties nos. 2 to 7 all are residents of village Jankopa P.O. Jogia P.S.
Baroon, Dist. Aurangabad.

.... Defendants/ Respondents

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad I

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 03-02-2016 Heard Mr. D.P.Gupta in support of the application.

The plaintiff is the petitioner who challenges the
order dated 08-07-2009 passed by the learned Additional Munsif-
6, Aurangabad in Title suit no. 65 of 2000. While the case was
posted for evidence of the plaintiff an application (Annexure-1)
was filed by the plaintiff to mark the sale deed dated 21.11.1998
as Exhibit.

A rejoinder was filed by the defendant-respondent.

When the case was posted for hearing of the matter,

the plaintiff defaulted in appearing. The learned trial Court considered the said application and having found that the execution of the sale deed was seriously disputed by the defendants and that the copy of the sale deed was not enclosed with the plaint available on records, rejected the said application.

That apart, it appears the order was passed in 2009 whereas the writ petition was filed on 23.4.2012 wherein no interim order was passed. This Court is not aware about the status of the case . Finding no patent illegality in the said order passed by the learned Trial Court, this Court is not inclined to grant the application. It is, accordingly, dismissed. The order shall be communicated to the Trial Court for expeditious disposal of the suit, if not already disposed of.

(Kishore Kumar Mandal, J)

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