

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9108 of 2015

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Janardhan Prasad, Son of Sri Paspal Prasad, Resident of Village- Charihara Bazar, P.O. and P.S.- Masrakh, District- Saran.

.... Petitioner

Versus

1. Ambika Prasad @ Ambika Sah , Son of Mahabir Sah, Resident of Village- MAsrakh, P.S.- Masrak, District- Saran.
2. Raj Kumar Prasad, Son of Sri Paspal Prasad, Resident of Village- Charihara Bazar, P.O. and P.S.- Masrakh, District- Saran.
3. Sachidanand Prasad, Son of Sri Paspal Prasad, Resident of Village- Charihara Bazar, P.O. and P.S.- Masrakh, District- Saran.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Dharendra Nath Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 22-04-2016 Heard learned counsel, Mr. Dharendra Nath Jha, for
the petitioner.

By the order dated 04.02.2015, the learned Munsif
4th, Saran at Chapra in Title Suit No. 116 of 1989 rejected the
application filed by the petitioner for marking the Pleader
Commissioner's report as an exhibit.

The learned counsel submitted that the Pleader
Commissioner was appointed by the order of the Court and he
submitted the report in the court, therefore, it is a part of the
record but the Court below rejected the same. In view of the
submission of the learned counsel himself, the Pleader

Commissioner’s report is a part of the record. Therefore, the Court has the jurisdiction to see it or refer it at the time of final hearing of the Suit and for that purpose exhibit is not necessary.

In view of the aforesaid facts and circumstances of the case, I find no reason to interfere with the impugned order. The court can refer the same at the time of hearing of the Suit, if at all it is necessary. Accordingly, this writ application is dismissed with aforesaid observation.

(Mungeshwar Sahoo, J)

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