

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13315 of 2015

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Santosh Kumar @ Santosh Kumar Soni

.... Petitioner/s

Versus

Arjun Prasad Agrawal

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 16-05-2016

Heard the learned counsel, Mr. Surendra Kishore Thakur

for the petitioner.

By the impugned order dated 23.06.2015, the learned Sub Judge V, Begusarai only marked two public documents as exhibit in Title Suit(Eviction) Suit No.315 of 2006 recording a finding that the relationship of landlord and tenant is admitted between the parties.

The only objection of the petitioner is that at belated stage, the documents have been marked as the argument of the petitioner has already been concluded. So far this objection is concerned, it may be mentioned here that even after fixing the case for judgment after conclusion of the argument, the Court has the jurisdiction to receive documentary evidences under Section 151 of the C.P.C. Therefore, when the Court below has exercised inherent jurisdiction and received the documents in evidence, in

my opinion, the order passed by the Court below needs no interference in exercise of supervisory jurisdiction.

So far the submission of the learned counsel for the petitioner that the petitioner should be granted chance of rebuttal, it may be mentioned here that admittedly both the documents produced by the plaintiff relate to the acquisition of title by the plaintiff.

Since the petitioner is not disputing the relationship of landlord and tenant, as mentioned in the impugned order itself, there is no question of granting him opportunity to rebut the documentary evidence arises.

Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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