

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6142 of 2014

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Shiv Prasad Yadav

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Respondent/s : Mr. Amar Nath Deo

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 14-01-2016 Heard the learned counsel, Mr. Waliur Rahman on I.A.
No.9852 of 2015.

At the time of hearing of this I.A., the learned counsel for the petitioner submitted that the writ application itself may be heard on merit in admission matter. Accordingly, I heard him.

By the impugned order dated 24.01.2014, the learned Sub Judge I, Nawada in Title Suit No.137 of 2013 allowed the intervention application filed by respondent 2nd party.

It appears that the plaintiff-petitioner filed aforesaid Title Suit No.137 of 2013 for declaration of title and further for declaration that the survey entry in the name of State of Bihar is wrong.

The intervener appeared and filed an application under Order I Rule 10 C.P.C. and the Court below finding that the intervener is also claiming title on the basis of registered sale deed

with respect to the subject matter of the suit held that the intervener is necessary party in the suit and allowed the application.

In such view of the matter, when the Court below has after considering the case of the intervener and the fact that he is claiming also title in the suit property on the basis of registered sale deed, has allowed the same, the impugned order needs no interference in supervisory jurisdiction.

Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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