

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18684 of 2015

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1. Birendra Mohan Mishra son of Late Vindhyeshwar Mishra, resident of Village + P.O.- Usasdeora, P.S.- Konch, District- Gaya at present Mohalla Noor Compound, Dak Banglow Road, P.S. Civil Lines, District- Gaya

.... Petitioner/s

Versus

1. Harendra Mohan Mishra son of Rishishwar Mishra resident of Village + P.O.- Usasdeora, P.S.- Konch, District- Gaya
2. Jitendra Mohan Mishra son of Late Vindhyeshwar Mishra, resident of Village + P.O.- Usasdeora, P.S.- Konch, District- Gaya. at Present Mohalla Noor Compound, Dak Banglow Road, P.S. Civil Lines, Gaya
3. Girendra Mohan Mishra son of Late Vindhyeshwar Mishra, resident of Village + P.O.- Usasdeora, P.S.- Konch, District- Gaya. at present Qr. No. B type Sector-J Ukkunyaram, Vishakhapatnam
4. Pranav Tiwari All sons of Sri Bishnudeo Tiwari all resident of Club Road, Aurangabad in front of PHED Colony, Aurangabad, District- Aurangabad, Bihar
5. Piyush Tiwari
6. Indu Tiwari wife Bishnudeo Tiwari
7. Rishishwar Mishra son of Late Rang Lal Mishra resident of Village + P.O.- Usasdeora, P.S.- Konch, District- Gaya
8. Lata Tiwari Wife of Shailendra Tiwari, D/o Triloki Tiwari Advocates, resident of Club Road, Aurangabad, in front of PHED Colony, Aurangabad, Bihar
9. Kanta Pandey Wife of Sri Shailesh Pandey, resident of village- Goh, P.s.- Goh, District- Aurangabad
10. Manju Tripathi Wife of Shailendra Nath Tripathi, resident of village- Nadwan Haweli, P.O. Nadwan, District- Patna
11. Bishnudeo Tiwari son of Sri Triloki Tiwari
12. Anarkali Devi wife of Rishishwar Mishra resident of Village + P.O.- Usasdeora, P.S.- Konch, District- Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 29-06-2016

Head learned counsel for the petitioner.

Perused the impugned order dated 31.07.2014 passed
by the learned Sub-Judge-II, Gaya, in Partition Suit No.11 of 2006.

From perusal of the impugned order it appears that the court below has rejected the application filed by the petitioner under Order XI, Rules 1 and 2 CPC for directing the plaintiff to produce the documents mentioned in the application on the ground that the plaintiff has neither referred in the pleading relying on these documents nor those are referred in the written statement nor the plaintiff is relying on these documents nor the plaintiff is in possession of these documents.

In view of the above finding I do not find any reason to interfere with the impugned order. Thus, the writ application is dismissed.

(Mungeshwar Sahoo, J)

singh/-

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