

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19887 of 2015

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Abdul Qayum

.... Petitioner/s

Versus

Suryadeo Bhagat & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 01-07-2016 Heard learned counsel Mr. Dharmesh Kumar for the petitioner and learned counsel Mr. Sanjeev Kumar for respondent no.1.

Perused the order passed by learned Subordinate Judge-V, Hajipur (Vaishali) in Title Suit No.562 of 2012 on 08.07.2015. It appears that the application filed by the petitioner for hearing of the present suit along with Title Suit No.303 of 2012 analogously has been rejected.

From perusal of the impugned order, it further appears that the court below found that the parties are not identical nor the suit property is identical in both the suits and, therefore, it is not desirable to hear both the suits analogously and in exercise of jurisdiction under Section 151 of the Code of Civil Procedure the court below rejected the application.

In such view of the matter when the parties are different

and the entire plots of both the suits are different, there is no question of hearing both the suits analogously arises. Therefore, I find no reason to interfere with the impugned order. Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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