

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10257 of 2015

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Baiju Chaudhary

.... Petitioner/s

Versus

Asha Devi & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rana Ishwar Chandra

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 26-04-2016 Heard learned counsel Mr. Rana Ishwar Chandra for the
petitioner.

By the impugned order dated 12.02.2015 the court below has only amalgamated Succession Case No.14 of 2012 and Revocation Case No.326 of 2012. Therefore, it is a routine order. Therefore, in supervisory jurisdiction the same cannot be interfered with as it neither caused prejudice to any party nor it occasioned failure of justice. So far the other order passed by the court below dated 10.06.2015 is concerned, it may be mentioned here that the court below rejected the application filed by the petitioner for examining him again in the case on the ground that in Succession Case No.14 of 2012 he has already been examined and, therefore, it is not necessary to examine him again.

In view of the facts of the case that evidence has already been adduced by him in this case, the court below has rightly

rejected the application filed by the petitioner. It may be mentioned here that both the probate case and revocation case have been filed by the present petitioner. So far revocation case is concerned, it has been filed for revocation of the succession certificate granted to respondent no.1 in succession case filed by respondent no.1.

Therefore, I do not find any reason to interfere with the impugned order and accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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