

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4761 of 2014

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Yogendra Sah

.... Petitioner/s

Versus

Rameshwar Diswa & Ors

.... 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 27-01-2016

Heard learned counsel Mr. Umesh Chandra Verma for
the petitioner.

This application has been filed by the intervenor-
petitioner for setting aside the order dated 12.12.2013 passed by
Sub-Judge III, Bettiah, West Champaran in Title Suit No. 156 of
2010 whereby the Court below rejected the intervention
application on the ground that the petitioner is not necessary party.

It appears that the plaintiff-respondent filed the
aforesaid Title Suit No. 156 of 2010 praying for declaration of
title and also praying for setting aside the sale deeds executed by
defendant 2nd party in favour of the defendant Ist party.

The present intervenor-petitioner filed an application
under Order 1 Rule 10 C.P.C. praying for being added as a party
in the suit. The Court below after hearing the parties held that the
petitioner is not a necessary party. It appears that the intervention

application filed by the petitioner has been annexed as Annexure-2 to this writ application. The petitioner has only stated that he is the descendant of Khewatdar. No where he is praying that he is in possession of the property or he is the owner of the property. From perusal of the order passed by the Court below it appears that after appreciating the facts of the case, the Court below has recorded finding that the petitioner is not a necessary party. In such circumstances, no case for interference under supervisory jurisdiction is made out.

Thus this writ application is dismissed.

(Mungeshwar Sahoo, J)

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