

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5890 of 2016

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Shiv Kishore Singh @ Shobha Kishore Singh & Ors

.... Petitioner/s

Versus

Dharm Bind & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 08-04-2016

Heard learned counsel Mr. Udit Narain Singh for the
petitioners.

The learned Subordinate Judge-III, Siwan in Title Suit
No.14 of 1998 rejected the intervention application filed by the
petitioners on 15.02.2016.

From perusal of the aforesaid order which is under
challenge, it appears that the court below found that in fact the
dispute is between the original defendant, Kailashpati Singh and
the father of the interveners. The court below observed that this
dispute between the defendant and the interveners inter-se cannot
be decided in the present suit, which has been filed by the
plaintiffs against the original defendant, Kailashpati Singh
particularly when the interveners admitted the fact that the suit
property was alleged to have been settled in the name of
Kailashpati Singh only.

In view of the aforesaid finding of the court below and in view of the fact that the dispute is between Kailashpati Singh, the original defendant and the father of the interveners, the present interveners are not at all necessary party in the suit. Thus, I find no reason to interfere with the impugned order in supervisory jurisdiction. Accordingly, this writ application is dismissed.

Harish/-

(Mungeshwar Sahoo, J)

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