

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.490 of 2016

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Yogendra Mandal & Ors

.... Appellant/s

Versus

Shiv Shankar Kamat & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shashi Nath Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 04-08-2016

Heard learned counsel Mr. Shashi Nath Jha for the
petitioners.

Perused the order passed by the learned court below. By
the impugned order the court below has only re-opened the case of
the plaintiffs-respondents and permitted them to adduce further
evidence after closure of evidence of the present petitioners.

Learned counsel for the petitioners submitted that by
applying Order 18 Rule 17 CPC the court below recalled the
earlier order and permitted the plaintiffs to adduce evidence.
According to the learned counsel, Order 18 Rule 17 CPC is not
applicable. So far submission of learned counsel for the petitioners
is concerned, no doubt Order 18 Rule 17 CPC will not apply but
certainly the Court has inherent jurisdiction to re-open the case of
any party at any stage in the interest of justice.

In my opinion, therefore, the court below has rightly

allowed the application, as such, it needs no interference in supervisory jurisdiction. Accordingly, this civil miscellaneous application is dismissed.

Harish/-

(Mungeshwar Sahoo, J)

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