

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.344 of 2016**

Subodh Kumar Rai & Ors

.... Appellant/s

Versus

Nageshwar Singh & Ors

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Rakesh Ambastha

For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 18-08-2016

Heard learned counsel, Mr. R.K. Ambastha, appearing
for the petitioners.

2. Perused the impugned order dated 05.05.2016 passed
by the Sub-Judge-1st, Begusarai in T.S. No. 206 of 2009, whereby,
the court below rejected the intervention application of the petitioner
on the ground that the suit is at the stage of argument and further that
the petitioners themselves asserted that in fact, their mother, Parwati
Devi, defendant No.1 is the absolute owner of the property. The
learned court below also held that the interveners have got no
separate interest in the suit property. Further it is specifically pleaded
by the plaintiff that defendant No.1 dispossessed the plaintiff.

3. In such circumstances, in my opinion, there is no
jurisdictional error in the impugned order nor it occasioned failure of
justice nor it prejudices the petitioners. Therefore, this civil
miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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