

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5199 of 2016

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Rajeshwar Thakur

.... Petitioner/s

Versus

Suresh Mishra & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 20-07-2016 Heard learned counsel Mr. Choudhary Shyam Nandan
for the petitioner.

Perused the impugned order dated 12.01.2016 passed
by Civil Judge (Junior Division-I), Samastipur in Title Suit No.66
of 2014/2071 of 2014.

It appears that the court below has rightly rejected the
prayer of the petitioner to decide the question of limitation as
preliminary issue.

From the facts alleged by the learned counsel for the
petitioner and from the statements made in the application, it
appears that the question of limitation in this particular case is not
a pure question of law. It is dependent on evidence, therefore, the
learned court below has rightly rejected the same.

I find no reason to interfere with the impugned order in

exercise of supervisory jurisdiction. Accordingly this writ application is dismissed.

(Mungeshwar Sahoo, J)

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