

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2305 of 2016

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Antu Singh

..... Petitioner/s

Versus

The State of Bihar & Ors

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Respondent/s : Mr. Gp1- U.S.S.Singh

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 18-07-2016 Heard the learned counsel, Mr. Sumit Kumar Singh, for the petitioner and the learned counsel, Mr. Sanjeev Kumar, for the respondent.

Perused the impugned order dated 20.05.2015 passed by Sub Judge IV, Gaya in Title Suit No.77 of 2013 whereby the learned Court below recorded a clear finding that earlier decree has been passed in favour of the respondent herein regarding subject matter of the suit and, therefore, they are necessary party in the present suit.

In view of the fact that the Court below has recorded clear finding that the petitioners are necessary party as they have got interest on the basis of the decree, in my opinion, the Court below has rightly allowed the application under Order 1 Rule 10 CPC.

Thus, I find no reason to interfere with the impugned order and accordingly, this writ application is dismissed.

Sanjeev/-

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(Mungeshwar Sahoo, J)