

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12415 of 2013

=====

Durga Prasad, Son of Late Ram Chandra Ram, Resident of Mohalla - Mungad Bazar, Nabinagar, Ward No. 7, P.O. and P.S. - Nabinagar, District - Aurangabad (Bihar).

.... Petitioner/s

Versus

1. Ashok Kumar,
2. Binay Kumar,
3. Sanjay Kumar, 1 to 3 are sons of Late Raja Ram.
4. Most. Champa Devi, Wife of Late Raja Ram.
5. Ram Swarath Prasad, Son of Late Ramchandra Ram.
6. Hirdaya Devi, Daughter of late Ramchandra Ram.
7. Ram Brichh Ram, Son of Late Baterom Sao.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 28-09-2016

Heard learned counsel for the petitioner and the learned counsel for the respondents.

2. This application, filed on behalf of the petitioner, under Article 227 of the Constitution of India, is directed against the order dated 09.04.2013 passed in Partition Suit No. 20 of 2010/ 137 of 2012, whereby the learned Sub-Judge-III, Aurangabad, allowed the application of the respondent no. 7, under Order I Rule 10(2) of the Code of Civil Procedure, to implead him as defendant being the necessary party.

3. I find no illegality in the impugned order amounting

to an abuse of the process of the court for interference in an extra-ordinary jurisdiction under Article 227 of the Constitution of India.

4. Accordingly, this writ application stand dismissed.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	