

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6720 of 2015**

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Smt. Nageena Devi

.... .... Petitioner/s

Versus

Bajarangi Prasad

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Anirudh Kumar Verma

For the Respondent/s : Mr.

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

ORAL ORDER

2 18-03-2016

Heard learned counsel, Mr. K.K. Singh, appearing for the petitioner.

2. By the order dated 05.01.2015, learned Sub-Judge-VI rejected the application filed by the plaintiff-petitioner under Order 26 Rule 9 C.P.C. in T.S. No. 346 of 2013, whereby the plaintiff prayed for appointment of Pleader Commissioner.

3. It may be mentioned here that the plaintiff filed the suit for declaration of title and confirmation of possession. The defendant filed written statement alleging that in fact, the defendant is in possession of the property.

4. In such circumstances, there is no question of appointment of Pleader Commissioner arises, at this stage, when it is admitted fact that the plaintiff has yet to begin his evidence.

Therefore, I find no reason to interfere with the impugned order in supervisory jurisdiction. Accordingly, this writ application is dismissed.

**(Mungeshwar Sahoo, J)**

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