

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5595 of 2014

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Sri Ramdeo Lall

.... Petitioner/s

Versus

Sri Subhash Chandra Prasad & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 04-02-2016

Heard the learned counsel for the petitioner.

This application under Article 227 of the Constitution of India has been filed for setting aside the order dated 28.01.2014 passed by Sub Judge II, Munger in Title Suit No.65 of 2006 whereby the Court below rejected to recall the order accepting the written statement of the defendant.

It appears that the defendant after summon appeared on 10.11.2006 and thereafter, written statement was filed on 09.02.2007.

In view of the above fact, it appears that the written statement was filed within 90 days. In such circumstances, in this writ application, the impugned order cannot be interfered with as the Court below has rightly rejected the application filed by the plaintiff-petitioner.

Thus, this writ application is dismissed.

Saurabh/-

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(Mungeshwar Sahoo, J)