

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10214 of 2014

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1. Rajeshwar Prasad Verma S/o Late Sukeshwar Pd. Verma resident of village-
Chandranagar- Ranko, P.S. and District- Khagaria

.... Petitioner/s

Versus

1. Janardan Prasad Verma S/o Late Tilakdhari Verma, resident of village-
Chandranagar- Ranko, P.O. Koshi College, Khagaria, P.S. and District- Khagaria

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Parmeshwar Mehta

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 27-06-2016

Heard learned counsel for the petitioner.

2. By the impugned order the learned court below has
turned down the prayer made on behalf of the plaintiff-petitioner for
appointment of Pleader Commissioner for making local inspection
and measurement of the suit property.

3. Learned counsel for the petitioner has submitted
that the measurement of the suit land is essential as the identity and
location of the suit property is required to be done. It has, however,
been not disputed that earlier the plaintiff had made a similar prayer
for appointment of Pleader Commissioner and the same was rejected
on 26.08.2013 by the learned court below.

4. After considering the submissions made on behalf

of the petitioner and perusing the materials on record including the impugned order, it is evident that the prayer for appointment of Pleader Commissioner for measurement of the suit land and local inspection of the suit land has been made at the stage when the final argument in the suit was going on. It is also evident that earlier similar prayer was turned down by the learned court below by order dated 26.08.2013. As such this Court is not inclined to interfere with the impugned order.

5. This writ application is, accordingly, dismissed.

(V. Nath, J)

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