

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10886 of 2015**

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Kayasts Pathshala Through Anil Kumar Bhatnagar

..... Petitioner/s

Versus

Dr. Nirmal Kumar Gupta & Ors

..... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Vivek Prasad

For the Respondent/s : Mr.

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

**ORAL ORDER**

2      27-04-2016      Heard the learned counsel, Mr. Vivek Prasad for the  
petitioner.

The learned Munsif, Sitamarhi rejected the intervention  
application filed by the petitioner for being added as party in  
eviction suit.

From perusal of the order passed by the Court below, it  
appears that the petitioner is claiming to be added as party on the  
ground that he is the real owner of the property.

It is settled principles of law that in an eviction suit, the  
question of title is irrelevant, therefore, for deciding the question  
involved in the eviction suit, the presence of the petitioner is not at  
all necessary. In my opinion, therefore, the Court below has  
rightly rejected the application.

Thus, this writ application is dismissed.

Saurabh/-

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**(Mungeshwar Sahoo, J)**