

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1387 of 2016**

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Md. Rahim & Ors

.... Appellant/s

Versus

Md. Shamsheer & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anamul Haque

For the Respondent/s : Mr.

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

2 19-12-2016 Heard the learned counsel, Mr. Abdul Mannan, for the petitioner.

Perused the impugned order dated 22.06.2016 passed by the learned Addl. District Judge IV, Khagaria in Title Appeal No.3 of 2010 whereby the learned Court below has rejected the application filed by the petitioner praying for scientifically measurement under Order XXVI Rule 10A CPC.

From perusal of the impugned order, it appears that lower appellate Court has taken into note the fact that in the trial Court, the Amin measured the land and has submitted the report and the Amin has been examined as P.W.17.

In view of the above facts and circumstances of the case and finding recorded by the Court below, no case for interference in exercise of supervisory jurisdiction is made out. Accordingly, this Civil Misc. application is dismissed.

Sanjeev/-

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(Mungeshwar Sahoo, J)

