

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Revision No.7 of 2014

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Deo Kumar Singh Son Of Late Jadunandan Singh Resident Of Village Bhilai, P.S.
Udwantnagar, District Bhojpur

.... Petitioner

Versus

1. Susil Kumar Singh Son Of Late Sheoji Singh Resident Of Village Bhilai, P.S.
Udwantnagar, District Bhojpur
2. Lalan Singh
3. Mahendra Singh
4. Janardan Singh
5. Rajendra Singh All Sons Of Late Ram Ekbal Singh Resident Of Village Bhilai,
P.S. Udwantnagar, District Bhojpur

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. MD.IMTEYAZ AHMAD

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 20-10-2016

Heard Mr.Imteyaz Ahmad, learned counsel for
the petitioner.

By the impugned order the appellate court below
has remanded the matter back for fresh consideration of the objection
filed under Order 21 Rule 97 C.P.C by the opposite parties in the
execution case.

The learned counsel for the petitioner has
accepted that the petitioner was heard before the appellate court and
after hearing the impugned order has been passed. It has, however,
been submitted that the learned court below has not considered the



facts and circumstances of the case which would show that the objection by the opposite parties in their petitions under Order 21 Rule 97 C.P.C. was vulnerable. The learned counsel for the petitioner, during the course of submission, however, has accepted that there is no jurisdictional error committed by the appellate court below while passing the impugned order.

After considering the submissions and perusal of the impugned order, this Court comes to the conclusion that no jurisdictional error has been committed by the learned court below in passing the impugned order.

The revision application, therefore, has got no merit and is accordingly, dismissed.

(V. Nath, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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