

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1473 of 2016**

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Raghubir Raut & Anr

.... Petitioner/s

Versus

Raj Kumari Devi Agrawal & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Jagdish Prasad

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 21-12-2016 Heard the learned counsel for the petitioners.

Perused the impugned order dated 27.10.2016 passed by Sub Judge II, Motihari in Partition Suit No.163 of 2003 whereby the learned Court below by allowing the amendment application filed by the plaintiffs-respondents added some persons as party-defendant on the ground that the defendants in their written statement taken a defence that the suit is bad for non-joinder of necessary parties i.e. the said persons.

From perusal of the impugned order, it appears that the learned Court below considered the objection also and then found that there is some delay, as such, has awarded cost to be paid by the plaintiff.

Thus, I find no reason to interfere with the impugned order as there is no jurisdictional error in the impugned order. Thus, this civil miscellaneous application is dismissed.

Saurabh/-

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(Mungeshwar Sahoo, J)

