

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14159 of 2015

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Devanand Sinha

.... Petitioner/s

Versus

Dr. Indranand Sinha & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 18-05-2016 From perusal of the impugned order dated 02.05.2015 passed by 6th Addl. District Judge, Bhagalpur in Misc. Appeal No.1 of 2012, it appears that the appellate Court set aside the order passed by the trial Court dated 15.12.2011 in Misc. Case No.14 of 2008 whereby the trial Court had refused to restore title suit No.104 of 1993.

It appears that the suit was dismissed under Order 9 Rule 9 of the Code of Civil Procedure on 24.04.2008. Misc. Case was filed. The trial Court rejected the Misc. Case. Thereafter, appeal was filed by the plaintiff respondent. The appellate Court by the impugned order has allowed the Misc. Appeal and set aside the trial Court order and restored the title suit.

Since by the order, appellate Court has only restored title suit to its original file, I am not inclined to interfere with the impugned order in exercise of supervisory jurisdiction. Thus, this writ application is dismissed.

Sanjeev/-

(Mungeshwar Sahoo, J)

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