

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.111 of 2013

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Md. Safir Ahmad, son of Late Md. Ataur Rahman alias Sanjur Ahmad,
resident of village Bela Bahadurpur, PS- Nanpur, Dist.- Sitamarhi.

.... Petitioner

Versus

1. Bibi Zamila Khatoon, wife of Late Md. Ataur Rahman alias Sanjur Ahmad, resident of village Bela Bahadurpur, PS- Nanpur, Dist- Sitamarhi presently residing at village Rudauli, PS- Bajpatti, Dist- Sitamarhi.
2. Bibi Sahin Parveen, wife of Sabbir Ahmad, resident of village Bela Bahadurpur, PS- Nanpur, Dist- Sitamarhi presently residing at village Rudauli, PS.- Bajpatti, Dist- Sitamarhi.

.... Respondents

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Appearance :

For the Petitioner : Mr. V.R.P. Singh, Advocate with
Mr. Rajan, Advocate.

For the Respondents : Mr. Durgesh Nandan, Advocate.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

6 22-02-2016

Heard learned counsel for the parties.

Mr. V.R.P. Singh, learned counsel appearing for the petitioner at the outset has submitted that the objection raised by the Opposite Parties to the prayer of the petitioner for his addition as plaintiff in the suit is mainly based on the ground that the petitioner has the remedy by way of filing a separate suit. It has been further pointed out that the said statement is contained in a rejoinder filed by the Opposite Parties (Annexure-4) in the suit. The learned counsel has further submitted that in view of the aforesaid statement, this revision application be disposed of granting liberty to the petitioner to file his separate suit or pursue

the remedy available to him in accordance with law.

After considering the submissions and from perusal of the impugned order, it is manifest that the learned court below has rejected the petition filed by the petitioner for his impleadment in the suit as plaintiff and has allowed the prayer of the sole plaintiff to withdraw the suit. It is also not in dispute that the petitioner is stranger to the suit. The learned Court below has not committed any error of jurisdiction or material irregularity in passing the impugned order.

The revision application is accordingly dismissed. This order will not prejudice the petitioner in seeking the remedies available to him in accordance with law for redressal of his grievances.

(V. Nath, J.)

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