

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.190 of 2017**

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M/s. Reliance Industries Ltd.

.... Appellant/s

Versus

Raj Kamal Kumar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar Ambastha

For the Respondent/s : Mr.

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

2 03-02-2017 Heard learned counsel for the petitioner and perused the impugned order dated 28.11.2016 passed by the Sub-Judge-I, Nalanda at Biharsharif in Title Suit No. 02 of 2016, whereby the learned court below has rejected the application filed by the petitioner M/s Reliance Industries Ltd., for deleting the name of the petitioner from the array of defendant in the Title Suit No. 02 of 2016.

From perusal of the impugned order, it appears that the court below came to the conclusion that although the petitioner is not a necessary party but then is a proper party. According to the learned counsel for the petitioner, even if, the plaintiff's suit is decreed it will not affect the right, title and interest or business of the present petitioner.

In view of the submission of the learned counsel for the petitioner, it is for the petitioner to decide whether he will



contest the suit, if according to the petitioner his interest is not involved, he may not contest the suit. Since, the court below has recorded the finding that the petitioner is a proper party the same cannot be interfered with in the supervisory jurisdiction at this stage.

Thus, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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