

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.291 of 2017**

=====

Arvind Kumar

.... Petitioner

Versus

Abhay Lal Seth & Ors

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Ramchandra Singh

For the Respondents : Mr.

=====

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

ORAL ORDER

2 17-02-2017

Heard learned counsel for the petitioner.

Perused the impugned order dated 09.09.2016 passed by Civil Judge (Junior Division)-I, Rohtas at Sasaram in Title Suit No.44 of 2000.

It appears that during pendency of the trial the plaintiff-petitioner filed application for appointment of survey knowing Pleader Commissioner. The Pleader Commissioner submitted report along with other relevant papers. He has also been examined as witness as P.W.11 on behalf of the plaintiff-petitioner. Again the petitioner has filed another application for appointment of survey knowing Pleader Commissioner. Considering all these facts the court below held that when Pleader Commissioner's report is already available on record and he has been examined as witness, there is no question of appointment of further Pleader Commissioner arises.



Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Accordingly, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

Harish/-

U			
---	--	--	--

