

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.12 of 2017**

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Sheikh Sakoor & Anr

.... Petitioner/s

Versus

Sheikh Hasan Ali & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Javed Aslam

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 17-01-2017 Heard the learned counsel, Mr. Bishwanath Choudhary
for the petitioners.

Perused the impugned order dated 02.11.2016 passed
by Sub Judge 11th, Gopalganj in Final Decree Case No.23 of 1951
whereby the learned Court below rejected the objection filed by
the petitioners to the Pleader Commissioner's report and thereby
confirmed the Pleader Commissioner's report and directed the
decree holder to file stamp duty so that the final decree will be
engrossed.

In my opinion, the impugned order is appealable under
Section 96 of the Code of Civil Procedure. Therefore, this civil
miscellaneous application is not maintainable under Article 227 of
the Constitution of India.

Accordingly, this civil miscellaneous application is
dismissed.

Saurabh/-

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(Mungeshwar Sahoo, J)

