

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.490 of 2016
In
Civil Writ Jurisdiction Case No. 1493 of 2013**

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Manoj Kumar Verma, Son of Baban Jee Prasad Verma, Resident of Village / Mohalla - Nathuni Ka Bagh Dumraon, Police Station - Dumraon, District - Buxar.

.... Appellant

Versus

1. Tetari Devi, Wife of Keshav Prasad.
2. Keshav Prasad, Son of Jagdish Prasad. Both are resident of village / Mohalla - nathuni Ka Bagh Dumraon, Police Station - Dumraon, District - Buxar.

.... Respondents

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Appearance :

For the Appellant : Mr. Rang Nath Choubey, Advocate.

For the Respondents : Mr.

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH**
ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

2 30-03-2017 Re.: Interlocutory Application No. 2093 of 2016.

The delay in filing the Letters Patent Appeal is condoned. Accordingly, the Interlocutory Application stands disposed of.

Re. Letters Patent Appeal No. 490 of 2016.

Learned Writ Court in a proceeding under Article 227 of the Constitution pertaining to an order passed by the trial court under Order 7 Rule 11 C.P.C. has dismissed the writ petition as the jurisdiction was exercised by the learned Writ Court under



Article 227 of the Constitution, this appeal under Clause 10 of the Letters Patent Appeal is not maintainable.

The appeal is dismissed with liberty to the appellant to take recourse of remedy as may be available with regard to the order of the learned Writ Court.

(Rajendra Menon, CJ)

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(Sudhir Singh, J)

