

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20854 of 2013

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Kayamuddin Mian @ Kayamuddin Ansari @ Qumuddin Mian
..... Petitioner/s

Versus

Janardan Mishra & Ors
..... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Sanat Kumar Mishra
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 18-09-2017 Heard the learned counsel, Mr. Anil Kumar Jha, for the petitioner and the learned counsel, Mr. Akhoury Bipin Bihari Srivastava for the respondent No.1.

Perused the impugned order dated 03.08.2013. From perusal of the impugned order, it appears that the Court below has rejected the objection filed by the defendant No.1-petitioner for rejecting the survey knowing pleader commissioner report on the ground that the pleader commissioner has been cross-examined by the petitioner.

In view of the aforesaid factual position that the pleader commissioner has already been examined and cross-examined at length, the petitioner is at liberty to raise these questions which are raised before this Court in Appeal, if at all the suit will be decided against him.

Accordingly, this writ application is disposed of with the aforesaid direction.

Sanjeev/-

(Mungeshwar Sahoo, J)

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