

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.352 of 2016**

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Sultan Ahmad @ Malloo

.... Appellant/s

Versus

Saheena Razia & Anr

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Ashutosh Tripathy
For the Respondent/s : Mr.

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

3 07-02-2017 Heard learned counsel for the petitioner.

Perused the impugned order dated 27.04.2016 passed by Civil Judge (Junior Division) -I, Rohtas at Sasaram in Miscellaneous Case No.06 of 2007 whereby the learned Civil Judge has only recalled his earlier order dated 28.03.2016 by the impugned order dated 27.04.2016 and re-opened the evidence of respondent no.2 on payment of cost.

Since this jurisdiction has been exercised by the learned trial court in the miscellaneous case which has admittedly been filed under Order 21 Rule 97, 99 and 101 CPC which is to be treated as a suit and is to be decided in like manner, 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)

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