

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20583 of 2013

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Bimla Devi

.... Petitioner/s

Versus

Gopal Sah & Ors.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

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 for the petitioner.

This writ application under Article 227 of the Constitution of India has been filed by the defendant-petitioner against the order dated 06.08.2013 passed by the learned Munsif-II, Munger in Title Suit No.24 of 1996.

It appears that the plaintiff respondent filed the suit for specific performance of contract against Neelam Devi and the present petitioner who is the subsequent transferee. The defendant Neelam Devi filed written statement denying the execution of the agreement to sell, therefore, the plaintiff respondent filed application praying for comparison of the signature of Neelam Devi with the signature appearing on the alleged agreement. After hearing both the parties, the learned Court below has allowed the application filed by the plaintiff respondent.

In view of the controversy between the plaintiff and the



defendant vendor, the question to be determined is whether the agreement is genuine one and has been executed by Neelam Devi or not and, therefore, the Court below has rightly allowed the application filed by the plaintiff.

Thus, no case for interference in exercise of supervisory jurisdiction under Article 227 of the Constitution of India is made out. Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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