

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1578 of 2016**

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Md. Mustafa Kamal

.... Petitioner/s

Versus

Md. Murtaza Jamal & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Md. Nadim Seraj

For the Respondent/s : Mr.

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

2 09-01-2017 Heard the learned counsel for the petitioner and the
learned counsel for the respondents.

Perused the impugned order dated 10.11.2016 passed
by Sub Judge V, Gaya in Partition Suit No.4 of 2008/127 of 1998
whereby the learned court below has allowed the application filed
by the respondents seeking permission to produce some
documents which according to the plaintiffs are relevant for the
determination of the controversies between the parties.

It may be mentioned here that although, the suit is of
the year 1998 but only one witness has been examined i.e. formal
witness according to the learned counsel for the respondents, on
behalf of the plaintiffs. The evidence of the plaintiffs is still going
on.

In such circumstances, I do not find any reason to
interfere with the impugned order in exercise of supervisory



jurisdiction and accordingly, this civil miscellaneous application is dismissed.

The learned counsel for the petitioner and the learned counsel for the respondents submitted that they will assist the court for disposal of the suit expeditiously without taking unnecessary adjournments.

(Mungeshwar Sahoo, J)

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