

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.50 of 2017**

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Jitendra Kumar

.... Appellant/s

Versus

Shaili Devi & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeev Kumar Mishra

For the Respondent/s : Mr.

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

2 19-01-2017 Heard the learned counsel for the petitioner.

Perused the impugned order dated 25.01.2016 passed by Sub Judge VIIth, Muzaffarpur in Title Suit No.675 of 2013 whereby the learned Court below rejected the application filed by the defendant-petitioner for appointment of pleader commissioner for verification of the suit plot.

It may be mentioned here that the plaintiff-respondent has filed the suit for declaration of title giving the description of the suit property in the plaint. Evidence has not yet been started. The defendants raised the question about the identity of the suit land and then filed application for appointment of pleader commissioner. Considering all these aspects, the Court below has said that the parties are required to prove their respective case and evidence has not yet started. Thus I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction.

Accordingly, this Civil Misc. application is dismissed.

Sanjeev/-

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(Mungeshwar Sahoo, J)

