

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Revision No.40 of 2016

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Ramashanker Dubey, son of Sheo Prasiddh Dubey, Resident of Village- Jigna Dubey, P.O- Jigna Dubey, P.S.- Bhorey, District- Gopalganj.

.... Petitioner

Versus

1. Sukhraj Kunwar @ Sukhraj Kunwar, wife of Satya Narain Dubey,
2. Rajendra Dubey, son of Satya Narain Dubey,
3. Jamvanti Devi, wife of Rajendra Dubey, All (1 to 3) resident of Village- Jigna Dubey, P.O.- Jigna Dubey, P.O.- Jigna Dubey, P.S.- Bhorey, District- Gopalganj.
4. Ramawati Devi @ Ramavati Dubey, wife of Ramashanker Dubey, Resident of Village- Jigna Dubey, P.O- Jigna Dubey, P.S.- Bhorey, District- Gopalganj.

....Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 07-03-2017

Heard Mr.Pandey, learned counsel appearing for the petitioner.

The delay in filing this revision application is condoned.

The present revision application has been filed against the order passed by the appellate court below reversing the trial court's order appointing receiver on the prayer of the plaintiff-petitioner.

The fact is not in dispute that the trial court has passed the order for appointment of receiver on the petition filed by the plaintiff in that regard without issuing notice to the defendant in



the said matter.

The appellate court below after considering the facts and circumstances of the case has remitted the matter back to the trial court for passing a fresh order in the matter of appointment of receiver after hearing both the parties according to law within two weeks.

This Court does not find that the appellate court below has committed any error of jurisdiction or material irregularity in passing the impugned order.

The revision application is accordingly dismissed.

(V. Nath, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.04.2017
Transmission Date	

