

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.272 of 2017

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Bibi Quamrun Nesa & Anr

.... Petitioners

Versus

Abdul Kalam & Anr

.... Respondents

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Appearance :

For the Petitioners : Mr. Subhash Chandra Bose

For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 16-02-2017

Heard learned counsel for the petitioners.

Perused the impugned order dated 30.11.2016 passed by Subordinate Judge-V, Bettiah, West Champaran in Partition Suit No.68 of 1997 whereby the court below has rejected the application filed by the defendants-petitioners for dismissing the plaintiff's suit for partition.

It appears that the plaintiff-respondent filed the suit for partition. During the pendency of partition suit, the plaintiff sold some property to his son and, therefore, the defendants filed the application that the suit should be dismissed. In my opinion, so far this prayer made by the defendants-petitioners is concerned, it is a misconceived prayer.

In view of the above facts and circumstances of the case 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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