

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No. 177 of 2014

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Most. Madina, widow of late Abdul Rashid, resident of Mohalla Purabsarai
near Masjid, P.S. Kotwali, District- Munger

.... Petitioner

Versus

Md. Ajmal @ Md. Ajmal Pir Ali Ansari son of late Pir Ali, resident of
Mohalla- Haji Subhan, P.S.- Kotwali, District- Munger at present residing at
Laxmin Giruh Nirman Society, A278 Sector 23, Kopar Khairana, District -
Thane, Navi Mumbai

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Amit Prakash
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 05-05-2017 Heard learned counsel for the petitioner and perused
the record. This revision petition may be disposed of on admission
stage itself.

The petitioner has challenged the order dated
19.07.2014 passed by learned Sub Judge 1st, Civil Court, Munger
in Misc. Case No. 19 of 2010 by which and whereunder he
allowed the Misc. Case No. 19 of 2010 setting aside the ex parte
judgment and decree dated 09.03.2009 passed in Title Suit No 119
of 2008, subject to condition of payment of cost of Rs. 3000/-

The contention on behalf of the petitioner is that
learned Sub Judge failed to consider the evidences adduced in
Misc. Case No. 19 of 2010 and suo motu opined that the parties



should contest the Title Suit No 119 of 2008 on merit but I am not, at all, convinced with the aforesaid submission because the perusal of impugned order goes to show that learned Sub Judge 1st, Civil Court, Munger very well considered the materials placed by the parties in Misc. Case No. 19 of 2010 and after that he observed that the parties should contest the Title Suit No 119 of 2008 on merit.

Therefore, in the aforesaid circumstance, this revision petition stands dismissed on admission stage itself. However, the concerned court is directed to expedite the disposal of Title Suit No. 119 of 2008.

(Hemant Kumar Srivastava, J)

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