

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24638 of 2013

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1. Nathu Sahani, S/o Late Chirkut Sahani, Resident of Village-
Harinarayanpur, P.S- Madhuban, District- East Champaran.

.... Petitioner

Versus

1. Ramashish Rai, S/o Late Ganesh Rai, Village- Harinarayanpur, P.S-
Madhuban, District- East Champaran.

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate.

For the Respondent/s : Mr. Sanjeev Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 01-12-2017 This application has been filed to quash the order dated

10.09.2013 passed by learned Subordinate Judge-IV, Motihari in

Title Suit No.429 of 2007 whereby and whereunder the learned

court below condoned the delay in filing the documents of

defendant and accepted the same on payment of cost of Rs.2,000/-.

2. Heard learned counsel for the petitioner and the
respondent.

3. It appears that while admitting the documents of
defendant-respondent, the court below has given liberty to the
plaintiff-petitioner to produce evidence in rebuttal, if required,
within 20 days.

4. The learned counsel for the respondent fairly
concedes that he has no grievance, if the petitioner is permitted to



produce evidence in rebuttal.

5. In the facts and circumstances of the case, this writ application is disposed of with a direction that the petitioner shall be given opportunity to produce evidence in rebuttal within a time frame.

(Sanjay Kumar, J)

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