

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.213 of 2017**

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Chanda Devi

.... Petitioner/s

Versus

Rukmini Devi & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Karandeep Kumar

For the Respondent/s : Mr.

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

2 06-02-2017

Heard the learned counsel for the petitioner.

Perused the impugned order dated 25.11.2016 passed by learned Sub Judge IX, Motihari, East Champaran in Partition Suit No.429 of 2016 whereby the learned court below rejected the application filed by the petitioner under Order 39 Rule 7 C.P.C. praying for appointment of Pleader Commissioner.

It appears that the court below rejected the application on the ground that the plaintiff-petitioner is trying to collect evidence.

The learned counsel for the petitioner submitted that the respondents are trying to sell the property.

Now even the argument of the learned counsel for the petitioner is admitted, then also for the purpose whether the respondents are selling the property or not, a Pleader Commissioner cannot be appointed.



Thus, 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)

Saurabh/-

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