

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.289 of 2017**

Prabhu Rai & Ors

.... Petitioners

Versus

Indrajeet Rai @ Indrajeet Yadav & Ors

.... Respondents

Appearance :

For the Petitioners : Mr. Ashok Kumar

For the Respondents : Mr.

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

2 17-02-2017 Admittedly by the impugned order dated 03.09.2016 passed by Civil Judge-I, Vaishali at Hajipur in Title Suit No.231 of 2014 plaint has been rejected under Order VII Rule 11 of the Code of Civil Procedure. Therefore, the petitioners have got remedy under the Code of Civil Procedure itself and as such, this civil miscellaneous application under Article 227 of the Constitution of India is not maintainable. Accordingly, it is dismissed.

However, the petitioners may prosecute their remedy under the Code of Civil Procedure.

(Mungeshwar Sahoo, J)

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