

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Revision No.164 of 2016

IN

Civil Writ Jurisdiction Case No. 14020 of 2015

- =====
1. Ganpat Sharma, son of Late Ram Sewak Singh,
 2. Kamla Devi @ Kamla Sinha, wife of Ganpat Sharma, Both are resident of Village- Dharampur, Kharwan, P.S.- Dulhin Bazar, District- Patna.
 3. Anu Devi @ Anu Kumari, wife of Sri Jagat Niwas, resident of Village- Pairain, P.S.- Daudnagar, District- Aurangabad.

.... Petitioners

Versus

Smt. Bibha Devi, wife of Maonj Kumar Pandey, daughter of Ganpat Sharma, resident of Village- Gharkandha, P.S.- Dawat, District- Rohtas.

.... Opposite party.

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Appearance :

For the Petitioner/s : Mr. Dronacharya, Adv.

For the Respondent/s : Mr. Partha Sarthy, Adv.

Mr. Apurva Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 18-07-2017

Heard Mr.Dronacharya, learned counsel appearing
for the petitioners and Mr. Partha Sarthy, learned counsel appearing
for the plaintiff-opposite party.

The present revision application has been filed
assailing the legal sustainability of the impugned order by which the
learned court below has turned down the prayer on behalf of the
defendant-petitioners for rejection of plaint as envisaged under Order
7 Rule 11 C.P.C.

After considering the submissions and the perusal
of the materials on record including the impugned order, this Court



does not find in the facts and circumstances of the case that the learned court below has committed any illegality or error of jurisdiction.

The revision application is, accordingly, dismissed.

However, the defendant-petitioners are granted liberty to raise all the objections available to them in accordance with law at appropriate stages of the suit.

The revision application is dismissed with aforesaid observations.

(V. Nath, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.07.2017
Transmission Date	

