

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17311 of 2013

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Ram Vinay Kumar

.... Petitioner/s

Versus

Most. Kailash Nandini Sharma & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 13-09-2017

Heard learned counsel for the petitioner.

This writ application has been filed against the order dated 23.03.2013 passed by learned Subordinate Judge-XII, Patna in Title Suit No.288 of 2009 whereby the learned court below has allowed the intervention application of respondent no.3.

From perusal of the impugned order, it appears that the respondent no.3 filed the application under Order 1 Rule 10 of the Code of Civil Procedure for being added as party defendant on the ground that he is co-sharer of the plaintiff in the suit and in the suit the plaintiff has challenged Power of Attorney as well as sale deed. The plaintiff did not object to the addition of respondent no.3 as party in the suit. The court below on this fact that the plaintiff did not object, he added respondent no.3 as party defendant. The defendant no.2 has filed this writ application for setting aside the impugned order. Since the suit is filed by the



plaintiff and, therefore, the defendant has nothing to say regarding who will be added as party or not. It is between the plaintiff and respondent no.3. Thus, no case for interference in exercise of supervisory jurisdiction is made out.

Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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