

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1449 of 2016

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Hamid Miya & Ors

.... Appellant/s

Versus

Alihasan Miya & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

3 13-01-2017 Heard the learned senior counsel for the petitioner.

Perused the impugned order dated 08.08.2016 passed by Sub Judge V, Gopalganj in Title Suit No.457 of 2004 CIS No.1068 of 2013 whereby the learned Court below rejected the application filed by the defendant-petitioner for calling for the Jamabandi which has been opened in the name of the petitioner.

It appears that the plaintiff-respondent filed the suit for declaration of title and confirmation of possession. Both the parties adduced evidences. The defendant also produced his evidences and the rent receipts. The plaintiff alleged that the rent receipts produced by the defendant are forged and, therefore, this application has been filed by the defendant-petitioner at the stage of argument of the suit. Considering all these aspects of the matter, the Court below has rejected the application holding that the suit is at the stage of argument and the rent receipts produced



by the plaintiff has already been marked as exhibit. In such circumstances, the Court below held that it is not necessary to call for the Jamabandi for verification of the rent receipts.

Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Accordingly, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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