

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.36 of 2017**

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Uday Kumar Singh

.... Petitioner

Versus

Awadhesh Prasad Singh & Ors

.... Respondents

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Appearance :

For the Petitioner : Mr. Ashok Kumar

For the Respondents : Mr.

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

3 20-02-2017

Heard learned counsel for the petitioner.

Perused the impugned order dated 11.08.2016 passed by Subordinate Judge-XIII, Vaishali at Hajipur in Partition Suit No.18 of 1977.

From perusal of the impugned order, it appears that the legal representatives of the deceased respondents were present before the High Court in first appeal and the High Court noticed the fact that the respondents are also present, therefore, no notice be issued. Therefore, considering this aspect of the matter the court below refused to issue fresh notice to the legal representatives. Thus, in my opinion, no case for interference in exercise of supervisory jurisdiction is made out.

Thus, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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