

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.756 of 2018

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Bacho Mandal

.... Appellant/s

Versus

Mihir Kumar & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhananjay Kumar Gupta

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 05-11-2018

It is submitted that the name of Mr. Devi Das Srivastava, learned counsel for the petitioner, has wrongly been printed in the daily cause list as Mr. Devi Das Srivastava has not signed the Vakalatnama for the petitioner.

Let the name of Mr. Devi Das Srivastava shall not appear in the daily cause list.

Heard the learned for the petitioner.

The petitioner has filed this Civil Misc. petition against the order dated 21.03.2018 passed by learned Sub Judge-XIII, Bhagalpur in Title Suit No. 621 of 2013 by which the learned Sub Judge dismissed the petition of the petitioner filed under Order I Rule 10 of the Code of Civil Procedure for being impleaded as defendant in the suit.

The plaintiff filed the suit for declaration of title, confirmation of possession and for correction in entry of records.



Admittedly, the land was recorded in the name of State of Bihar and name of ancestors of the plaintiff was recorded in remark column as *Awaidh Dakhalkar*. During the pendency of the suit, the intervener filed petition claiming that the land was settled in the name of his ancestors by the ex-landlord through unregistered *Hukmnama* but no chit of paper or any subsequent facts showing mutation in the name of ancestors of petitioner in the record of rights was filed. I find that the learned Sub Judge has rightly dismissed the petition of the petitioner on the ground that petitioner did not file any paper showing that the land belonged to his ancestor.

Having considered the facts aforesaid, I do not find any merit in this Civil Misc. petition and the same is, accordingly, dismissed.

(Prabhat Kumar Jha, J)

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