

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.2099 of 2017

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1. Mahaveer Prasad Sah, Son of Late Bhagwan Das, Resident of Naya Bazar, Dalpatti, Lakhisarai, P.S. & District- Lakhisarai.

.... Petitioner

Versus

1. Om Prakash Sah Vidhyalankar Son of Late Bhagwan Das
2. Ravi Kumar Son of Om Prakash Sah Vidhyalankar
3. Rashmi Kumari Daughter of Om Prakash Sah Vidhyalankar All are residents of Naya Bazar, Dalpatti, Lakhisarai, P.S. & District- Lakhisarai.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioner.

The petitioner has filed this Civil Miscellaneous petition against the order dated 17.08.2017 passed in Misc. Case No.1/2016 by which the Misc. case filed by the petitioner under Section 47 of the C.P.C. has been amalgamated in Execution case No.2/2010 with observation that the question raised by the petitioner in Misc. case shall be considered in the Execution Case No.2/2010.

Learned counsel for the petitioner submits that Miscellaneous case should have been heard separately but I find no reason to interfere in the order impugned since the Court has observed that the point raised by the petitioner in Miscellaneous



case shall be heard in Execution case itself. Therefore, I do not find any merit in this Civil Miscellaneous petition. Accordingly, the same is dismissed.

(Prabhat Kumar Jha, J)

Amit/-

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