

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.874 of 2017

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Narendra Kumar

.... Petitioner/s

Versus

Siya Kant Kumar & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pankaj Majjorwar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 16-05-2018

Heard the learned counsel for the petitioner.

The petitioner being the defendant No.4 filed this civil miscellaneous petition against the order dated 28.02.2017 passed in Title(Partition) Suit No.105 of 2013 by which the petition of the petitioner to allow him to file written statement has been rejected.

Admittedly, the plaintiff filed suit for partition claiming 1/6th share in the suit property. The petitioner, his brother and mother are defendants. The plaintiff is also one of the brothers of the petitioner. All the defendants filed joint written statement. Later on, defendant Nos.1 to 3 and 5 are said to have compromised the case with the plaintiff but the written statement of the petitioner is on record. The petitioner has not shown any cause for filing separate written statement although the petitioner has already filed written statement. Therefore, I find no illegality or irregularity in the order impugned.



Accordingly, this civil miscellaneous petition is
dismissed.

(Prabhat Kumar Jha, J)

Saurabh/-

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