

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1983 of 2017

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Manohar Mahto, Son of Late Kripa Mahto, Resident of Village-Chhoti Pahari, Post + P.S.-Sohsrai, District-Nalanda.

.... Petitioner

Versus

1. Renu Devi, Wife of Jai Ram Prasad, D/o Rameshwar Prasad.
2. Kanti Devi, Wife of Raj Kumar, D/o Rameshwar Prasad, Both Resident of Village-Bhaisabur, P.S.-Laheri, District-Nalanda.
3. Pushplata Devi, Wife of Shashi Kant Prasad, D/o Rameshwar Prasad.
4. Sandhya Devi @ Guddi Kumari, Wife of Anil Kumar, D/o Rameshwar Prasad, Resident of Village-Emadpur, P.S.-Bihar, Post-Biharsharif, District-Nalanda.
5. Shashikant Prasad, Son of Rameshwar Prasad.
6. Jaiyant Kumar, Son of Shashikant Prasad Both Resident of Village-Chhoti Pahari, Post + P.S.-Sohsrai, District-Nalanda.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Surendra Kumar
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 05-07-2018

Heard learned counsel for the petitioner.

The petitioner has filed this I.A. No.3215 of 2018 for stay of Title Suit No.47 of 2005.

This Civil Miscellaneous petition is filed against the order dated 19.07.2017 passed in T.S. No.47/2005 by learned Munsif, Biharsharif, Nalanda, by which the petition of the petitioner/plaintiff is partly allowed and partly dismissed.

By the impugned order, the certified copy of sale deed filed by the petitioner has not been exhibited on the ground that



the petitioner did not pray for calling of the original sale deed and in absence of the original sale deed, the certified copy of the sale deed can not be exhibited.

I find no merit in this Civil Miscellaneous petition. Accordingly, I.A. No.3215 of 2018 as well as Civil Miscellaneous petition is dismissed with liberty to the petitioner to file a fresh petition before the learned court below making prayer for calling of the original sale deed and on such learned Munsif, Biharsharif, Nalanda shall pass order in accordance with law.

(Prabhat Kumar Jha, J)

Amit/-

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