

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.65 of 2018

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1. Satish Sharma @ Satish Chandra Sharma, Son of Late Hare Krishna Sharma, resident of Village- Bakhari Bazar, P.O. + P.S.- Bakhari, Nagar Panchayat Ward No. 15, District- Begusarai. Appellant/s

Versus

1. Rakhi Bharti, W/o Pawanesh Bharti, resident of Village- Bhavdeopur, P.O. + P.S. Sitamarhi, District- Sitamarhi, at present residing at Village- Bakhari, P.S.- Bakhari, District- Begusarai. Respondent/s

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Appearance :

For the Appellant/s : Mr. Saroj Kumar Sharma
Mrs. Kiran Kumari Sharma

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 02-04-2018

Heard the learned counsel for the petitioner.

The petitioner has filed this petition against the order dated 16.10.2017 by which the petition of petitioner filed under Order 26 Rule 9 of the C.P.C. has been dismissed.

The petitioner is the plaintiff. The petitioner filed the suit for declaration of his title and 3/4th share in the land mentioned in schedule-1 of the plaint and for declaration of gift deed executed by Savitri Devi dated 06.08.2014 as null and void.

The learned court below found that in a suit for declaration of title and carving out 3/4th share in the schedule-1 of the plaint, after declaring the gift deed null and void, there is no need to appoint Pleader Commissioner.

I find no illegality or jurisdictional error in the impugned order. This Civil Misc. petition is, dismissed.

(Prabhat Kumar Jha, J)

BKS/-

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