

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.671 of 2017**

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Panchu Yadav

.... Petitioner/s

Versus

Kali Charan Yadav

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 02-05-2018

Heard learned counsel for the petitioner.

The petitioner is the defendant in the suit. The petitioner has filed this civil miscellaneous petition against the order dated 23.01.2017 passed by Munsif, Birpur in Title Suit No.7 of 2002 by which the learned Munsif admitted two sale deeds bearing Nos.2674 of 1989 and 2374 of 1995 as Exts.9 and 10 respectively on the ground that both the sale deeds are public documents and the original records are not at all required to admit the public documents in evidence.

The learned counsel for the petitioner submits that the petitioner had earlier also moved before this Court in CWJC No.4959 of 2013 against the order dated 28.09.2012. This Court vide order dated 15.02.2016 clarified that by order dated 16.02.2008 only one sale deed No.15 dated 02.01.1979 was admitted in evidence and the opportunity was granted to the



plaintiff to call for the original from the concerned office but other two sale deeds were not admitted in evidence and the original volumes were called for and on this ground, CWJC No.4959 of 2013 was dismissed. It is submitted that without calling for the original volumes of the register, those two sale deeds have illegally been admitted in evidence but I find no force in the submission of the learned counsel for the petitioner. The certified copies of the sale deeds were filed and those documents are public documents on that ground both the documents were admitted in evidence by the impugned order.

Therefore, I find that court below has not committed any jurisdictional error or illegality. Accordingly, this civil miscellaneous petition is dismissed as devoid of any merit.

(Prabhat Kumar Jha, J)

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