

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.597 of 2018

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1. Marai Pandit @ Madai Pandit Son of Late Sheo Pandit @ Shiv Pandit
2. Mangrut Pandit Son of Late Sheo Pandit @ Shiv Pandit
3. Chandrika Pandit Son of Late Sheo Pandit @ Shiv Pandit
4. Mundrika Pandit @ Munrika Pandit Son of Late Sheo Pandit @ Shiv Pandit All are resident of Village- Methvawaliya@ Methawaliya, P.S.- Chapra Mufassil, District- Saran(Chapra).

.... Petitioners

Versus

1. Vikram Pandit Son of Late Bharat Pandit
2. Sukhnandan Pandit Son of Late Bharat Pandit
3. Brajnandan Pandit Son of Late Bharat Pandit 1 to 3 are resident of Village- Methvawaliya@ Methawaliya, P.S.- Chapra Mufassil, District- Saran(Chapra).
4. Baijnath Rai@ Baijendra Rai Son of Late Sama Rai
5. Bhavnath Rai Son of Late Sama Rai
4 & 5 are All are resident of Village- Methvawaliya@ Methawaliya, P.S.- Chapra Mufassil, District- Saran(Chapra).

.... Respondents

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Appearance :

For the Appellant/s : Mr. Arun Kumar Rai
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioners.

The petitioners filed this Civil Miscellaneous petition against the order dated 29.01.2018 passed in Final Decree Case No.95 of 1975 by learned Munsif, 1st, Saran at Chapra by which the petition of the petitioners to drop the proceeding of final decree has been dismissed.

Learned counsel for the petitioners submits that the decree has already been executed, therefore, there is no need of



appointment of pleader commissioner and the proceeding of final decree should have been dropped but I do not find any substance in the submission of learned counsel for the petitioners. The same prayer of the petitioners has already been rejected earlier by learned court below on 19.03.2013 and by this Court on 23.09.2016.

Accordingly, this Civil Miscellaneous petition is dismissed.

(Prabhat Kumar Jha, J)

Amit/-

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