

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.94 of 2018

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1. Nematulla Mallick Son of late Khairullah Mallick Resident of Village-
Erki, at P.S. and District- Jahanabad.

.... Appellant/s

Versus

1. Parshuram Sharma Son of late Keshwar Singh Resident of Mohalla-
Horilganj, at P.S. and District- Jehanabad.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhola Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 30-04-2018

Heard both sides.

The petitioner has filed this Civil Misc. Petition against the order dated 14-09-2017 passed in Title Suit No. 149 of 2012 by which, learned Sub Judge-IV, Jehananad dismissed the petition of the petitioner which was filed with a prayer to dismiss the suit under Order 7 rule 11 of the C.P.C.

Mr. Alok Kumar Sinha, learned Senior Counsel appearing for the petitioner submits that the suit is not maintainable but I find no reason to interfere in the order as the defendant has not yet filed any W.S. After filing of the W.S., the issue shall be framed. The suit does not appear to be barred under any provision of law.

Accordingly, this Civil Misc. Petition is dismissed as devoid any merit.

(Prabhat Kumar Jha, J)

A.K.V./-

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