

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15273 of 2014

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Bhagwat Prasad Son of Late Dukbi Prasad Proprietor of Standard Police and Civil Redemade Industries Bindhyawasni Market, Resident of Mohalla Garpar, Police Station Biharsharif, District- Nalanda.

... .. Petitioner/s

Versus

1. Manoj Kumar
2. Pranay Pranjakar, Both are sons of Ram Nandan Prasad Resident of Village - Nalawan, Police Station Sarmera, District Nalanda at present Bindhyawasani Market, resident of Mohalla Garhpar, Police Station - Bihar, District - Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL JUDGMENT

Date : 19-12-2018

Petitioner before this Court is defendant of Eviction Suit No.02 of 2008 pending in the Court of Additional Munsif-VII, Biharsharif. He has filed this application for quashing the order dated 04.07.2014 whereby and whereunder his prayer to issue Dasti summon to Sachidanand Singh to produce original deed of partition dated 15.09.2007 was rejected.

2. Heard learned counsel for the petitioner and the respondents.

3. It appears that in course of trial, the son of the petitioner filed photo copy of unregistered partition deed dated 15.09.2007. The said document was sought to be called for from Sachidanand Prasad who is neither party to the eviction suit nor



the document in question is necessary for determining the issues involved in the suit. The respondents have filed the suit for eviction of the petitioner/defendant on the strength of their documents. The learned court below rejected the prayer observing that the said document was being called for from a person who is stranger to the suit. There appears no reason to interfere with the impugned order.

4. In view of above fact, I do not find any merit in this application. This application is accordingly dismissed.

(Sanjay Kumar, J)

B.Kr./-

AFR/NAFR	NAFR
CAV DATE	N/A
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