

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.163 of 2018

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Bodha Sahni, Son of Late Deo Narayan Sahni, Resident of Village- Jagdishpur, Malahi Tola, P.O. + P.S. Jagdishpur Anchal Nautan, District- West Champaran.

... .. Appellant/s

Versus

1. Jata Shankar Singh, Son of Late Ram Sewak Singh, Resident of Village- Jagdishpur, P.O. + Police Station- Jagdishpur, District- West Champaran.
2. The State of Bihar through Collector, West Champaran.
3. The Anchal Adhikari Nautan, At P.O. + P.S. Nautan, District- West Champaran.
4. Mateshari Kuar Widow of late Deo Narayan Sahni.
5. Barud Sahni, Son of late Deo Narayan Sahni.
6. Janak Sahni, Son of late Deo Narayan Sahni.
7. Gaudi Devi, D/o Late Deo Narayan Sahni Wife of Gorakh Sahni.
8. Ramayan Sahni.
9. Lalan Sahni, Both sons of Late Moti Sahni.
10. Most. Jaswa, Widow of Late Jiut Sahni, All 4 to 10 resident of Village- Jagdishpur, Malahi Tola, P.O. + P.S.- Jagdishpur, Anchal Nautan District- West Champaran.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Kishun Prasad
For the Respondent/s : Mr. S.C. Yadav-Gp15

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL JUDGMENT

Date : 25-08-2018

Heard learned counsel for the petitioner, learned counsel
for the respondents including the State.

2. The petitioner has filed this civil miscellaneous
petition against the order dated 06.11.2017, passed by learned Sub-
Judge, VI, West Champaran, Bettiah by which the learned Sub-
Judge allowed the petition of the plaintiff for bringing on record



the deed of cancellation dated 20.10.1997 and marked it as exhibit for evidence. The petitioner is the defendant- 2nd set.

3. The learned counsel for the petitioner submits that both the sides have already closed their evidence and the suit is fixed for argument but at a very belated stage, the plaintiff filed a petition for bringing the deed of cancellation as evidence and the same was allowed.

4. I do not find any illegality or jurisdictional error in the order since the court has rightly found that the merit and demerit and the evidentiary value of the deed of cancellation shall be considered at the time of hearing of the suit and allowed the petition of the petitioner to bring the deed of cancellation as evidence.

5. Having considered the aforesaid facts and circumstances, this civil miscellaneous petition is dismissed.

(Prabhat Kumar Jha, J)

S.KUMAR/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.09.2018
Transmission Date	NA

