

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL MISCELLANEOUS JURISDICTION No.814 of 2018

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Roshan Prasad Son of Late Baduri Prasad resident of Village - Morakhas,
P.O. - Mora Pargana Barai, P.S. - Bhagwanpur Hat, District - Siwan.

.... Appellant/s

Versus

Zammruddin Sah Son of Late Pharjan Sah resident of Village - Mora Khas,
P.O. - Mora, P.S. - Bhagwanpur Hat, District - Siwan.

.... 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 16-08-2018

Heard learned counsel for the petitioner.

The petitioner is defendant in the suit. The plaintiff filed a suit for declaration of title and consequential relief. The suit was dismissed. The plaintiff filed an appeal and during pendency of the appeal, the petitioner, who is respondent in the appeal, filed a petition for bringing two rent receipts dated 02.11.2001 and 03.08.2005 on records issued in his favour by Revenue Clerk, Swaminath Das, but the learned Additional Judge, Siwan rejected the petition on the ground that the suit is for declaration of title and rent receipts issued in favour of the respondents has got no relevancy in the suit for declaration of title.

Learned counsel for the petitioner is not able to show



the relevancy of two documents to be brought on record as evidence in the suit for declaration of title. Thus, I do not find any merit in this civil miscellaneous petition.

Accordingly, the same is dismissed.

(Prabhat Kumar Jha, J)

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