

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21488 of 2014

IN

C.R. 760 of 2009

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Kanhaiya Dubey & Ors

.... Petitioners

Versus

Azimuddin Ansari & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Narayan Parbat, Sr. Advocate
Mr. Bhanu Prakash, Advocate

For the Respondent/s : Mr. Udit Nr. Singh, Advocate
Mr. Gajendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 01-11-2018

Petitioners before this court are defendants in Title Suit No.40 of 1980 pending in the court of learned Munsif-IV, Saran at Chapra. They have filed this writ application for quashing the order dated 03.02.2009 whereby and whereunder their prayer to implead the State of Bihar as party to the suit was rejected.

2. Heard learned counsels for the petitioners and the respondents.

3. It appears that the learned court below as per impugned order rejected the prayer of petitioners observing that the State of Bihar is not necessary party to the suit. After acquisition of land, the State of Bihar has no concern with any portion of suit property. It appears that neither any relief has been sought for against the State of



Bihar nor the State of Bihar has any interest in the suit property. The court below has thus rightly rejected the prayer of the petitioners refusing to implead the State of Bihar as party to the suit in order to avoid multiplicity of the suit.

4. In view of above facts I do not find any merit in this writ application and the same is accordingly dismissed.

(Sanjay Kumar, J)

Harish/-

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CAV DATE	
Uploading Date	02.11.2018
Transmission Date	

