

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1084 of 2017

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1. Krishna Nath Prasad Gupta @ Krishna Nath Gupta Son of Late Anup Lal Sah, Resident of Village-Belachak, P.S. Bidupur, District Vaishali

.... Appellant/s

Versus

1. Ram Chandra Sah
2. Pragash Sah Both Sons of Bhagwat Sah.
3. Sita devi
4. Fulkar Devi Sl. No. 3 and 4 Daughter of Late Bhagwat Sah. All Resident of Village-Kelachak, P.S. Bidupur, P.O. Kalyanpur, District Vaishali (Defendant 1st Party).
5. Dinesh Prasad Gupta Son of Late Hira Lal Gupta Resident of Village-Kalachak, P.S. Bidupur, P.O. Kalyanpur, District Vaishali.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Navesh Nandan
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-09-2018 Heard the learned counsel for the petitioner.

The petitioner has filed this Civil Misc. petition against the order dated 16.02.2017 passed by Sub Judge-III, Vaishali at Hajipur in Final Decree Proceeding No. 218 of 1992 by which the petition of the petitioner/ plaintiff for correction of area of plot No. 989 has been rejected.

The learned counsel for the petitioner submits that area of plot No. 989 is 34 decimals but some one has made overwriting in the area and instead of 34 decimals the area has been made as 39 decimals but the learned Sub Judge has rejected



the petition on the ground that in the plaint also the area of plot No. 989 is 34 decimals.

Taking into consideration the facts aforesaid, I dispose of this Civil Misc. petition with a direction to the court below to get the area of plot No. 989 measured at the time of preparation of final decree and if the area of plot No. 989 is found 34 decimals instead of 39 decimals the same shall be corrected accordingly.

With the aforesaid direction, this Civil Misc. petition is disposed of.

(Prabhat Kumar Jha, J)

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