

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.210 of 2019

Raju Das @ Rajendra Das, Chela of Rajdeo Das and son of Saral Chaudhary
Resident of Village- Bhagwanpur, P.S- Hathuwa, District- Gopalganj at
present- Poojari Sri Ram Janki Mandir, at Village- Bhulauni, P.S- Nautan,
District- Siwan

... ..Petitioner/s

Versus

1. Raghunath Kanu son of Sahdeo Kanu
2. Shiv Nath Kanu son of Sahdeo Kanu
3. Yadu Nath Kanu son of Sahdeo Kanu
4. Sri Ganesh Kanu son of Baldeo Kanu
5. Heera lal Kanu son of Baldeo Kanu
6. Kedar Kanu son of Baldeo Kanu
7. Durga Kanu son of Baldeo Kanu
8. Manoj Kanu son of Late Moti Lal Kanu
9. Ram Ashish Kanu son of Late Bhagirath Kanu
10. Anil Kanu son of Late Moti Lal Kanu
11. Ram Narayan Kanu son of Late Dharmdeo Kanu
12. Umesh Kanu son of Ram Narayan Kanu
13. Dinesh Kanu son of Ram Narayan Kanu
All are resident of village- Bhulauni, P.S-Nautan, District- Siwan
14. Sri Ram Janki Bhagwan through Poojari Ram Balak Das (now dead),
resident of village- Bhulauni, P.S-Nautan, District- Siwan

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Jitendra Prasad Singh, Advocate
	:	Mr. Sri Priya Singh, Advocate
	:	Mr. Abhishek, Advocate
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-04-2019 At the outset, it is submitted by the learned counsel

for the petitioner that erroneously an application was filed by

the petitioner under Order 1 Rule 10(2) and Section 151 of the

Code of Civil Procedure (for short 'CPC') whereas the



application should have been filed under Order 22 Rule 5 of the CPC.

He submitted that the instant application challenging the order dated 15.11.2018 passed by the learned Munsif-II, Siwan in Title Suit No. 48 of 2000 by which prayer of the petitioner under Order 1 Rule 10(2) and Section 151 of the CPC for being added as party has been rejected be disposed of with liberty to the petitioner to file an application under Order 22 Rule 5 of the CPC.

In view of the submission made above, the instant application preferred under Article 227 of the Constitution of India is disposed of with liberty aforesaid.

(Ashwani Kumar Singh, J)

Md. S/-sneha

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