

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.217 of 2019

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Jitendra Jha, son of Gopal Jha, Resident of Village- Sanha Bichla Tola, Police Station- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue, Bihar, Patna.
2. Umar Farooque son of Late Zafeeruddin
3. Md. Marshid Alam
4. Md. Shah Nawaj
5. Asgar Ali ,
Serial Nos. 2 to 5 sons of Late Abu Bakar
6. Jainab Khatoon Daughter of Late Abu Bakar
7. Lailun Nishra wife of Late Abu Bakar
8. Katimul Gani son of Karimul Gani
All residents of Village- Sanha Bichla Tola, Police Station- Sahebpur Kamal, District- Begusarai.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Kumar, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-04-2019 This application under Article 227 of the Constitution of India has been filed by the petitioner for setting aside the order dated 31.10.2018 passed in Title Suit No. 232 of 2010 by the learned Sub-Judge, Ballia, Begusarai whereby he has disposed of the petition dated 15.03.2012 filed by the petitioner for deciding the issue of under-valuation of suit as preliminary issue by holding that the said issue will be considered along with other issues at the time of final



adjudication of the suit.

After some arguments, Mr. Manish Kumar, learned counsel for the petitioner submitted that the application may be disposed of with liberty to raise the issue involved in the case at appropriate stage before the trial court.

Leave is granted.

The application is dismissed as infructuous.

(Ashwani Kumar Singh, J.)

Sanjeet/R.Ranjan-

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