

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.106 of 2020**

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Hare Ram S/o Late Munna Ram R/o Village-Mohaniya, P.S.-Sheosagar,
District-Rohtas

... .. Petitioner

Versus

1. Muni Kumhar S/o Late Shiv Bachan Kumhar, R/o Village-Mohaniya, P.S.-Sheosagar, District-Rohtas
2. The State of Bihar through the Collector, Rohtas.
3. Anchal Adhikari, Anchal Sheosagar, District-Rohtas.
4. Mukhiya, Gram Panchayat Sikraul, P.S.-Sheosagar, District-Rohtas.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Binod Murari Mishra, Advocate.

For the Respondents : Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 14-02-2020

The present application has been filed “*against the order dated 15.10.2019 passed in T.S. Case No. 974 of 2017 (C.I.S. No. 974 of 2019) by the learned Sub-Judge IV, Sasaram whereby and whereunder the learned court below has rejected the application of the petitioner filed under Order 1 Rule 10(2) of the Code of Civil Procedure to add him as intervener in the T.S. No. 974 of 2017.*”

2. Learned counsel for the petitioner submits that the learned court below ought to have allowed his prayer for being impleaded in the suit as he had claimed to be in possession and ownership of the disputed land.

3. Learned counsel for the State appears and has been heard.



4. Having heard the parties and on consideration of the materials on record, this Court is not inclined to interfere in the matter. A perusal of the impugned order discloses that the petitioner had stated in his application that the land in question is the Sairati land situated in front of his land, denoting that the land in question is public land. No material was brought on record to establish his right over the said land and as such the learned court below has rejected the prayer for impleading the petitioner as he was neither a necessary party nor proper party in the suit.

5. This Court therefore finds no illegality, infirmity or error of jurisdiction in the order of the learned court below. The petition stands dismissed

(Vikash Jain, J)

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