

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVISION No.245 of 2019

1. Ram Prasad Tamboli @ Chhango, Son of Lakshmi Prasad Tamboli @ Lakshmi Sah, Resident of Kahalgaon Nadia Tola, Ward No. 10, P.S. Kahalgaon, District-Bhagalpur.
2. Dipak Kumar Tamboli, Resident of Kahalgaon Nadia Tola, Ward No. 10, P.S. Kahalgaon, District-Bhagalpur.
3. Mukesh Kumar Tamboli, Son of Ram Prasad Tamboli @ Chhango, Resident of Kahalgaon Nadia Tola, Ward No. 10, P.S. Kahalgaon, District-Bhagalpur.
4. Ganesh Prasad Tamboli, Son of Late Pago Tamboli, Resident of Kahalgaon Nadia Tola, Ward No. 10, P.S. Kahalgaon, District-Bhagalpur.
5. Ajit Kumar, Son of Ganesh Prasad Tamboli, Resident of Kahalgaon Nadia Tola, Ward No. 10, P.S. Kahalgaon, District-Bhagalpur.

... .. Petitioner/s

Versus

1. Badri Prasad Khetan, Son of Late Hari Khetan, Resident of Kahalgaon Town, Ward No. 9, Gandhi Nagar, Kahalgaon, P.S. Kahalgaon, District-Bhagalpur.
2. Mostt. Panna Devi, Wife of Late Hari Khetan, Resident of Kahalgaon Town, Ward No. 9, Gandhi Nagar, Kahalgaon, P.S. Kahalgaon, District-Bhagalpur.
3. Kiran Devi Kanodia, Daughter of Late Hari Pd. Khetan and wife of Arun Kumar Kanodia, resident of Kucha Ganesh Gali, Patna City Chowk, P.S. Patna City, District Patna.
4. Raj Kumar Bhuwania, Daughter of Late Hari Prasad Khetan and Wife of Santosh Kumar Bhuwania, Resident of Nonihat, P.S. Nonihat, District Dumka (Jharkhand).
5. Bela Dokania, Daughter of Late Hari Prasad Khetan and Wife of Bhim Sen Dokania, Resident of 199, Dubaipukar Road, Janta Sarai, Hind Motor, Hoogli (W.B.)-712233.
6. Sarita Lath, Daughter of Late Hari Prasad Khetan and wife of Pramod Kumar Lath, Resident of Firozpur, Ishipur Barahat, District Bhagalpur.
7. Anita Jalan, Daughter of Late Hari Pd. Khetan and wife of Narayan Prasad Jalan, Resident of B-502, Sarjan Complex, Jasal Park, Bangalore Cost, Dist. Thane-401105.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER



3 20-02-2020 The order dated 20.11.2019 passed by learned Sub-Judge, Kahalgaon, Bhagalpur, in title suit No. 727 of 2012, whereby an application under order 7, Rule 11 of the CPC has been allowed, is under challenge in present civil revision application.

2.The petitioner has remedy of appeal and, therefore, this civil revision application under Section 115 of the Code cannot be maintained and is accordingly dismissed.

3. I have not gone into the correctness or otherwise of the impugned order.

4. The petitioner shall be at liberty to prefer appeal. If any question of limitation arises, he shall also be at liberty to seek condonation of delay on the ground that he was pursuing the remedy by filing present civil revision application.

(Chakradhari Sharan Singh, J)

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