

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL MISCELLANEOUS JURISDICTION No.127 of 2022**

Vinod Kumar Jha Son of Late Mahakant Jha, resident of Village and Post Office - Hinsar, Police Station- Khirhar, District - Madhubani.

... .. Petitioner/s

Versus

1. Hari Shankar Lal Das Son of Late Feku Lal Das, resident of Village and Post Office - Hinsar, Police Station - Khirhar, District - Madhubani.
2. Ashok Jha, Son of Late Mahakant Jha, resident of Village and Post Office - Hinsar, Police Station Khirhar, District - Madhubani.
3. Amod Jha Son of Late Mahakant Jha, resident of Village and Post Office - Hinsar, Police Station Khirhar, District - Madhubani.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Prabhas Ranjan  
For the Respondent/s :

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      21-06-2022                      Heard Mr. Prabhas Ranjan, learned counsel for the petitioner.

The petitioner is the defendant in the Title Suit No. 10 / 2015 and has filed the present petition challenging the order dated 06.11.2019 passed by learned trial court by which the learned trial court has allowed the petition filed on 21-09-2019 and document filed by the plaintiff has been taken as a piece of evidence.

Learned counsel for the petitioner submits that the learned trial court has committed material irregularity and jurisdictional error by allowing the petition for bringing on record the documentary evidence at belated stage inasmuch as



the evidence of the plaintiff has already been closed and the evidence of defendant is going on and five witnesses on behalf of the defendant have already been examined.

Accordingly, learned counsel submits that petitioner -defendant will have to re-examine the plaintiff and serious prejudice will be caused to the petitioner.

I have heard learned counsel for the petitioner and have perused the impugned order. The learned court below has taken note of the fact that one sale deed dated 09-11-1966 related to the disputed land has been brought on record which has bearing upon the merit of the Title Suit and the document filed by the plaintiff has got relevance and importance in just decision of the Title Suit.

In view of the aforesaid findings, I am satisfied that the learned trial court has not committed any material irregularity and jurisdictional error while passing the impugned order and I find no infirmity in the same.

Accordingly, this civil miscellaneous application is dismissed.

praful/-

**(Anil Kumar Sinha, J)**

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