

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.629 of 2022**

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Mundrika Yadav Son of Late Munsu Yadav, Resident of Village- Pachrukhiya,
Police Station- Kako, District- Jehanabad.

... .. Petitioner/s

Versus

1. Ram Swaroop Prasad Son of Late Tulsi Yadav, Resident of village- Pachrukhiya, Police Station- Kako, District- Jehanabad.
2. Satyendra Yadav Son of Late Tulsi Yadav, Resident of village- Pachrukhiya, Police Station- Kako, District- Jehanabad.
3. Awadhesh Yadav Son of Late Munshi Yadav, Resident of Village- Pachrukhiya, Police Station- kako, District- Jehanabad.
4. Basudeo Yadav Son of Ram Sewak Yadav, Resident of Village- Pachrukhiya, Police Station- kako, District- Jehanabad.
5. Dinesh Yadav Son of Ram Sewak Yadav, Resident of Village- Pachrukhiya, Police Station- kako, District- Jehanabad.
6. Jitendra Kumar @ Guddu Kumar Son of Mudrika Yadav, Resident of Village- Pachrukhiya, Police Station- kako, District- Jehanabad.
7. Pappu Kumar Son of Mundrika Yadav, Resident of Village- Pachrukhiya, Police Station- kako, District- Jehanabad.
8. Sumati Devi Wife of Gyanchand Prasad, Resident of Village- Hablipar, P.S.- Chandauti, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Devi Das Srivastava
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-11-2022

Heard learned Counsel for the petitioner.

The petitioner has filed this application for quashing of Misc. Case No. 01 of 2018, filed, before learned Additional District Judge-I, Jehanabad, by the respondent nos. 1 and 2- plaintiffs, for restoration of Probate Case No. 06 of 1997/16 of 2015, which was dismissed for default on 30.01.2018.

In my opinion, this application is premature and this



Court has no jurisdiction to quash the miscellaneous case or any other civil case under the provisions of the Code of Civil Procedure.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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