

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.488 of 2021**

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Mahesh Yadav @ Mahesh Prasad Yadav son of Chano Yadav resident of Village- Tulsipur, P.S.- Kharik, District- Bhagalpur

... .. Petitioner

Versus

1. The State of Bihar through the Collector, Bhagalpur
2. The Registrar, Civil Court, Bhagalpur.
3. Parmanand Yadav son of late Chunni Yadav resident of Tulsipur, P.S.- Kharik, District- Bhagalpur

... .. Respondent

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 23-02-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Learned counsel for the petitioner has submitted that vide order dated 24.06.2021, the learned court has dismissed the Title Appeal No. 91 of 2017, mentioning that none appears on behalf of the appellants. Subsequently, on the same day, he allowed the appeal on merits.

Xerox copy of the order sheet of the Title Appeal No. 91 of 2017 has been annexed with the record, which shows that the learned appellate court has dismissed the appeal. The learned lower court has mentioned that the appeal is dismissed



on merits but without costs. The judgment are in nine sheets as annexed which shows that appeal was allowed on merits.

The petitioner may take recourse of appropriate forum and when the recourse as per statutory provisions is being taken by the petitioner, he may bring under the notice of the appellate court that some time was consumed in preferring this petition.

With these observations, the present miscellaneous petition is disposed of.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 herein-above, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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