

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2360 of 2011

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ARUP KUMAR BOSE Son Of Late Amulya Kumar Resident Of Village-Khirood Bhawan Mohalla Kalyani In The Town Of Muzaffarpur Ps-Mithanpura, Distt-Muzaffarpur.

... .. Petitioner/s

Versus

1. SMT.ANITA BOSE @ JHARNA BOSE Son Of Amulya Kumar Bose Resident Of Village-Khirdoda Lodge Club,Road,Muzaffarpur-2.
2. Anup Kumar Bose Son Of Late Amulya Kumar Bose Resident Of Village-Sur-Sudha Apartment,Boring Canal Road,Patna.
3. Smt.Anita Verma Wife Of Shri Purushottam Prasad Verma Resident Of Village-Bellughat,Police Station Town,District-Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shyam Sunder Pandey
For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

22 23-11-2023 Heard learned counsel for the petitioner. None appears for the respondents.

2. The petitioner is aggrieved by the impugned order dated 20.06.2007 by which an application under Order 1 Rule 10 of the CPC read with Section 151 CPC has been allowed by the Court below.

3. The application for addition of party was filed by the respondent No.3 claiming himself to be the purchaser from the plaintiffs. It has further been submitted that in the suit, the evidence of the plaintiff as well as as the defendant has been closed and the case was at the stage of judgment when the intervener appeared and filed an application for addition of party. The respondent No.3 has stated that the plaintiff who has already led



his evidence, in my opinion, in the interest of justice, this order is not being interfered with as the respondent No.3 is no more required to lead evidence because he being the purchaser from the plaintiff.

4. This application is disposed of with the direction to the Sub Judge-IV, Muzaffarpur to decide the suit after hearing all the parties within two months from the date of communication of this order as the suit is of the year 1989.

5. The Court below will not grant unnecessary adjournment to either side. The Court below will not stay the further proceedings that mere filing of any application in this Court. Unless there is specific stay order of this Court, the Court below will proceed with the hearing and decide the suit and communicate and send status report to this Court after two months.

6. Let a copy of this order be communicated to District Magistrate, Muzaffarpur forthwith through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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