

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1775 of 2018

1. Arjun Rajak Son of Late Budhu Nath Rajak, Resident of Village-Ratanganj, P.O.-Ratanganj, P.S.-Sajour (Shahkund), District-Bhagalpur.
2. Shankar Rajak @ Shiv Shankar Rajak, Son of Budhi Nath Rajak, Resident of Village-Ratanganj, P.O.-Ratanganj, P.S.-Sajour (Shahkund), District-Bhagalpur.
3. Most. Sita devi, Wife of Late Ram Kishun Rajak, Resident of Village-Ratanganj, P.O.-Ratanganj, P.S.-Sajour (Shahkund), District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Bhagalpur.
2. The Circle Officer, Shahkund, Bhagalpur.
3. Narayan Pandit Son of Late Kishun Pandit Resident of Village-Ratanganj, P.O.-Ratanganj, P.S.-Sajour (Shahkund), District-Bhagalpur.
4. Shambhu Pandit Son of Late Kishun Pandit Resident of Village-Ratanganj, P.O.-Ratanganj, P.S.-Sajour (Shahkund), District-Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

9 10-10-2023 Heard the parties.

2. The present application has been filed against the order dated 17.07.2018 passed by the learned Munsif- Ist, Bhagalpur in Title Suit No. 45 of 2008 by which the learned Munsif has rejected the intervention application of the petitioner.

3. Learned counsel for the respondents has submitted that the Title Suit No. 45 of 2008 has been finally decided by order dated 02.08.2022 and therefore, the present application



has become infructuous.

4. Learned counsel for the petitioners submits that his intervention application was dismissed in the Court below and by the present application he had challenged the order dated 17.07.2018 passed in Title Suit No. 45 of 2008 and now he seeks permission from this Court to file an appeal in view of the law laid down by the Hon'ble Supreme Court in the case of **My Palace Mutually Aided Co-operative Society vs. B. Mahesh & Ors.** in Civil Appeal No. 5784 of 2022.

5. The petitioners does not require any liberty from this Court and he has a remedy, as per law, to prefer an appeal.

6. If any appeal is filed by the petitioners, it will be considered by the Appellate Court, in accordance with law.

7. In view of the aforesaid, the application stands dismissed.

(Sandeep Kumar, J)

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