

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1086 of 2017

Sushila Devi and Ors

... .. Petitioner/s

Versus

Chandra Shekhar Singh and Ors

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Priyadarshi Matri Sharan, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 22-03-2024 Heard learned counsel for the petitioners.

2. In the instant petition, petitioners have challenged the order dated 13.01.2017 passed by the court of learned Sub Judge-V, Banka in Title Suit No. 214 of 2014 whereby and whereunder the petition filed on behalf of the defendants/petitioners for rejection of the plaint under Order VII Rule 11 read with Section 151 of the Code of Civil Procedure (hereinafter ‘the Code’) has been rejected.

3. Apparently, against such order, a civil revision petition under Section 115 of the Code is maintainable. So the petitioners have chosen a wrong forum to agitate the issue.

4. Faced with the situation, learned counsel for the petitioners seeks permission to convert the present petition to a petition under Section 115 of the Code.

5. Learned counsel for the petitioners is directed to



take steps towards conversion of the petition within four weeks.

(Arun Kumar Jha, J)

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