

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.745 of 2023

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Saurabh Kumar Son of Bhola Prasad Singh Resident of Village-Kalyan Bigha, Barah, Distirct-Nalanda, Presently Residing in Flat No. -202, Ishan Krishna Apartment Mahua Bagh, Dhanuat, Rukunpura, District-Patna. (Bihar).

... .. Petitioner/s

Versus

1. Smt. Punam Singh W/o Manindra Kumar Singh Resident of Mohalla-Salempur, Gopihata, P.O. and P.S.-Chhapra, District- Saran (Bihar
2. Manindra Kumar Singh S/o-Late Prabhu Nath Singh Resident of Mohalla-Salempur, Gopihata, P.O. and P.S.-Chhapra, District- Saran (Bihar
3. Ishan Homes Private Limited Adharshila Complex 305 South of Gandhi Maidan Patna, through its Director Nagmani, S/o-Sushil Kumar Resident of Dakshineshar Apartment 201, Nandanpur Khajpura Bailey Road, Patna.
4. Sheo Shankar S/o-Late Saveshwar Prasad Singh Resident of Mohalla-Rukanpura, P.S.-Rupaspur, Distirct-Patna.
5. Santosh Pratap Singh S/o Madan Mohan Singh Resident of N.T.P.C. Phase-2 Flat No.-F-402, Ashiyana Nagar, P.O.-Ashiyana Nagar, P.S.-Rajiv Nagar, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 13-11-2024 Heard learned counsel for the petitioner.

2. In the instant petition, petitioner has challenged the order dated 17.04.2023 passed by learned Sub Judge-I, Danapur in Title Suit No. 158 of 2020 whereby and whereunder an application filed on behalf of the petitioner under Order VII Rule 11(a) of the Code of Civil Procedure (hereinafter ‘the Code’) has been dismissed.

3. Apparently, against such order, a civil revision



petition under Section 115 of the Code is maintainable since the order is made in favour of the party applying for revision, would have finally disposed of the suit. So the petition is not maintainable.

4. Faced with the situation, learned counsel for the petitioner seeks permission to convert the present civil miscellaneous petition into a civil revision petition.

5. As prayed, learned counsel for the petitioner is permitted to do so within two weeks.

6. Office is directed to extend all cooperation to the learned counsel for the petitioner towards this conversion.

(Arun Kumar Jha, J)

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