

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1823 of 2017

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Krishna Prasad Rai son of Late Rama Rai, Resident of Village- Govindapur,
P.O. Pokhriya Rai, Police Station- Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

1. Smt. Chintamani Devi wife of Late Bharat Rai
2. Ram Ekbal Rai
3. Sudarshan Rai
4. Manager Rai All are sons of Late Rama Rai All are Residents of Village- Govindapur, P.O. Pokhriya Rai, Police Station- Chanpatia, District- West Champaran.
5. Kanti Devi wife of Ramchandra Rai, Resident of Village- Sirisiya Adda, P.O. Sirisiya, Police Station- Sirisiya O.P., District- West Champaran.
6. Sugandhi Devi wife of Umashankar Rai, Resident of Village P.O.- Gonauli, Police Station- Bettiah Muffasil, District- West Champaran.
7. Nidhi Devi wife of Late Harendra Rai, Resident of Village- Gonauli Jhakhiya Tola, P.O. Gonauli, Police Station- Bettiah Muffasil, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar Mishra, Adv.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-01-2025 On call none appears for the petitioner.

2. Perusal of record shows the impugned order has been passed by learned Sub-Judge-6, Bettiah, West Champaran in Partition Suit No. 54 of 2015 whereby and whereunder the petition dated 09.03.2017 filed by the plaintiff/petitioner under Order 39 Rule 1 & 2 read with Section 151 of the Code of Civil Procedure has been rejected.

3. Apparently, the remedy against such order lies in

filing an appeal under Order 43 Rule 1(r) of the Code of Civil Procedure. Therefore, the present petition under Article 227 of the Constitution of India is not maintainable.

4. Hence, the present petition is disposed of as such.

(Arun Kumar Jha, J)

Anuradha/-

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