

**Bharat Yadav and Other Vs. Fuleshwar Yadav**

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**Court :** Jharkhand

**Decided On :** Aug-23-2013

**Appellant :** Bharat Yadav and Other

**Respondent :** Fuleshwar Yadav

**Judgement :**

IN THE HIGH COURT OF JHARKHAND RANCHI W.P.(C) No. 3629 o

1. Bharat Yadav 2. Bishambhar Yadav 3. Mahendar Yadav ... .. Petitioners  
Versus Fuleshwar Yadav ... .. Respondent CORAM: THE HONBLE MR.  
JUSTICE PRASHANT KUMAR ..... For the Petitioner : Mr. Uday Kant Thakur  
For the Respondent :

5. 23.08.2013 This application has been filed for quashing of order dated 22-05-2012 passed by Sub Judge 1st Godda, in Title Suit No. 11 of 2006, whereby and whereunder, he rejected the application of petitioner for adducing evidence. It appears that after framing of issue, case of plaintiff was closed on 25.06.2008. Thereafter on the application of plaintiff, case was reopened on 10.07.2009, but in spite of that, plaintiff did not adduce evidence till 07.01.2011. It also appears that after close of plaintiff's case, defendant had adduced evidence and the case of defendant closed. Now the case is running under the heading for argument. Thus, in spite of several opportunity given to the plaintiff/ petitioner, he had not adduced evidence. Under the said circumstance, I find that the learned court below rightly rejected his application. Accordingly, I find no merit in this application. Hence,

same is dismissed. (Prashant Kumar, J.) Binit

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