

W.P. No. 20139/2015

30.11.2016

Shri Mohd. Aadil Usmani, counsel for the petitioner.

Shri J. L. Soni, counsel for the respondent no.1.

Shri Satyam Agrawal, counsel for the respondent no.

2.

Heard.

This petition under Article 227 of the Constitution of India has been filed by the plaintiff/petitioner.

By the order impugned the trial Court has rejected the applications filed by the plaintiff/petitioner under Order 7 Rule 14 and under Order 16 Rule 15 of the Code of Civil Procedure holding that the applications were premature because without filing the certified copy of the public document petitioner wanted to summon R.I. with the records. I do not see any infirmity in the order impugned itself. The petitioner may obtain the certified copy of the demarcation made by R.I. and then file an appropriate application before the trial Court. I do not find any ground to interfere with the order impugned.

The petition is, accordingly, dismissed.

(S. K. Seth)
Judge

DUBEY