

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.271 of 2023**

Kanhaiya Tiwari & Ors.

... .. Petitioner/s

Versus

Anil Kumar Tiwary @ Anil Tiwari & Ors.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan, Advocate

For the Respondent/s : Mr.Manoj Kumar Sinha, Advocate

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

5 13-03-2024 Present learned counsel for the petitioners as well as learned counsel appearing for respondent no. 1.

2. Learned counsel for the petitioners submits that jointness affidavit has been filed showing jointness of sister of respondent no. 8 with respondent no. 8. Learned counsel further submits that respondent no. 8 and her sister have been residing jointly and the notice issued to respondent no. 8 was accepted by her sister and hence, the same may be treated as valid service upon respondent no. 8.

3. In the light of the averments made in the jointness affidavit and submission made on behalf of the petitioners, the service is declared upon respondent no. 8.

4. Learned counsel for respondent no. 1 submits that he has filed a supplementary counter affidavit on 01.03.2024 in this case which has not been placed on record.



5. Office is directed to verify and place the supplementary counter affidavit on record.

6. Since the service is complete, office is directed to list this matter under appropriate heading on 05.04.2024.

(Arun Kumar Jha, J)

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