

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14491 of 2014

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Vishwadeo Prasad Singh S/o Late Ram Shobhit Singh Resident of Village
Sheetal Bhakurahr, P.S. Sarai, District Vaishali.

-Defendant 1st party-Petitioner.

Versus

1. Satya Narayan Prasad Sinha S/o Late Ram Dayal Singh
2. Chandradeep Singh S/o Late Ramjee Singh
3. Braj Nandan Singh S/o Late Rameshwar Singh All from 1 to 3 are
Resident of Village Sheetal Bhakurahr, P.S. Sarai, District Vaishali.

-Plaintiffs-Respondents.

4. Deo Sharan Singh S/o Late Ram Dayal Singh
5. Raj Kishore Singh S/o Late Ram Dayal Singh
6. Dig Vijay Singh S/o Late Ramjee Singh
7. Braj Bhushan Singh S/o Late Rameshwar Singh From 4 to 7 are Resident
of Village Sheetal Bhakurahr, P.S. Sarai, District Vaishali.

-Defendants 2nd parties-Respondents.

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Appearance :

For the Petitioner/s : Mr. Rana Ishwar Chandra

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

2 12-02-2015

Heard the learned counsel for the petitioner in

this writ application under Article 227 of the Constitution of India.

The sole prayer of the petitioner is for disposal of
the T.S.No.590/2007 pending before the court of learned Civil
Judge I, Vaisahli at Hajipur, which has been filed for declaration
of title and recovery of possession. The learned counsel for the
petitioner has submitted that the petitioner who is defendant no.1
in that suit, has got a perfect title and in his exclusive possession
over the suit property. It has been further canvassed that the
plaintiff is deliberately lingering the disposal of the suit on merits.

However, it has been accepted by the learned counsel that there is no order of injunction or any order by the court touching upon the right, title and interest of the petitioner over the suit property.

In this view of the matter, this Court is not inclined to pass the order, as prayed.

The petitioner shall be at liberty to move before the learned court below in accordance with law for expeditious proceeding of the suit after stating the facts, if so advised.

The writ application is dismissed with aforesaid liberty.

(V. Nath, J)

Nitesh/-

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