

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.476 of 2013

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Rameshwar Mahto, son of Bhukhal Mahto, resident of Village & PO
Rampur Khajuria, P.S. Dumariyaghat, District East Champaran.

.... Appellant/s

Versus

1. Dipani Devi, wife of late Surajdeo Mahto
2. Sheo Pujan Mahto, son of late Surajdeo Mahto
3. Sheo Balak Mahto, son of late Surajdeo Mahto
4. Ram Balak Mahto, son of late Surajdeo Mahto, all residents of Village
& P.O. Rampur Khajuria, P.S. Dumariyaghat, District East Champaran.
5. Smt. Fulmati Devi, wife of late Sundar Mahto, resident of Village &
P.O. Rampur Khajuria, P.S. Dumariyaghat, District East Champaran.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mahesh Narayan Parbat, Advocate.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 06-08-2015

Heard learned counsel for the appellant.

In the present appeal the appellant is challenging the order dated 8.10.2012 passed by the 3rd Additional District & Sessions Judge, East Champaran, Motihari in Title Appeal No.47 of 2008 by which the appellate court has refused to grant injunction in favour of the appellant.

It is an admitted fact that the suit of appellant for declaration of title and confirmation of possession has been dismissed. It also appears from the record that in the proceeding under Section 145 of the Code of Criminal Procedure, possession of respondent has been found. It also appears that delivery of possession has also been effected in

favour of the respondent.

In such view of the matter, this Court does not find any error in the impugned order. Right of the parties will be governed on the basis of out come of the appeal. The court below is directed to expedite the appeal and dispose of the same without granting unnecessary adjournment to the parties.

With the aforesaid observation this appeal is disposed of.

(Shivaji Pandey, J)

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