

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1369 of 2014

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Smt. Bharti Devi

.... Petitioner/s

Versus

Sri Rameshwar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 10-12-2015

Heard learned counsel Mr. J.S. Arora for the petitioner
on the Interlocutory Application No.4569 of 2015.

This application is for substitution of the legal representatives of the deceased sole petitioner. Accordingly, this application is allowed and the legal representatives are substituted in place of the sole petitioner. They have already appeared by filing vakalatnama.

Heard learned counsel for the petitioner.

The only grievance of the petitioner is that in spite of direction by the High Court the lower appellate court is not disposing of Title Appeal No.18 of 1985 arising out of eviction suit i.e. Title Suit No.116 of 1975 on the ground of default. The direction was given as far back as in the year 2011 but still the lower appellate court is not disposing of the same.

In view of the above facts and circumstances of the case

and considering the fact that the title appeal is of the year 1985 which is ready for hearing, this Court expects that the court below will dispose of the same within a reasonable period preferably within three months from the date of receipt of a copy of this order and if it is not disposed of within the aforesaid period, the court below shall submit a report as to why the same is not being disposed of although it arises out of eviction suit under the B.B.C. Act.

With these observations, this writ application is disposed of.

(Mungeshwar Sahoo, J)

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