

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.645 of 2010

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Smt. Shiv Kumari Devi, Wife of Sri Shiv Chandra Rai, R/o Village Basauli, Tole –
Molama, P.O. – Basauli, P.S. – Kurhani, District – Muzaffarpur.

.....Defendant-Appellant

Versus

Mostt. Sakli Devi, Wife of Late Sukdeo Rai, R/o Village – Basauli, Tola – Molama,
P.O. – Basauli, P.S. – Kudhani, District – Muzaffarpur.

.....Plaintiff-Respondent

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Appearance :

For the Appellant : Mr. Manoj Kumar Manoj, Advocate

For the Respondent : None

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA

ORAL JUDGMENT

Date: 11-03-2015

This file is brought under the heading “**For Hearing**
Under Order XLI Rule 11 CPC”.

2. Heard learned counsel appearing on behalf of the
appellant. None turned up on behalf of the respondent on
calls.

3. This is an appeal preferred against the order
dated 5th May, 2010 passed in Title Suit No. 457 of 2008
by learned Sub-Judge - VII, Muzaffarpur, who refused
the prayer made on behalf of defendant-appellant seeking
ad interim injunction against the complainant-respondent

restraining from executing any sale-deed and maintaining *status quo*.

4. Almost five years have already been lapsed and, as submitted, suit is still at the initial stage. Such type of slow progress cannot be appreciated.

5. The court below is directed to proceed expeditiously and decide the suit at the earliest. In the event, either of the side fails to cooperate in early disposal; the court below must not hesitate in proceeding against the parties in accordance with the law.

6. With the above observations and directions to the court below, without any adjudication on merit, the appeal stands disposed of.

(Akhilesh Chandra, J)

Praveen-II/-

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