

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6485 of 2011

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1. Rajendra Khadi Gramodyog Sangh, Head Office: Braj Kishore Ashram, Sri Nagar, Siwan Through Its Administrator, Md. Sarfuddin, Son Of Md. Shahid Ansari, Resident Of Rajendra Khadi Gramodyog Sangh, Head Office, Braj Kishore Ashram, Sri Nagar, P.O.- Siwan, P.S.- Siwan Muffasil, District- Siwan

.... Petitioner/s

Versus

1. The State Of Bihar Through The Collector, Siwan, District & Town- Siwan
2. The Circle Officer, Siwan Block, District- Siwan
3. Ram Sakhi Devi Wife Of Asha Nandan Tripathi At Present Resident Of Mohalla- Khurmabad, P.O. & P.S.- Siwan, District And Town- Siwan
4. Asha Nandan Tripathi Son Of Late Bundela Tripathi At Present Resident Of Mohalla- Khurmabad, P.O. & P.S.- Siwan, District And Town- Siwan
5. Ganesh Manjhi Son Of Late Narayan Manjhi At Present Resident Of Mohalla- Khurmabad, P.O. & P.S.- Siwan, District And Town- Siwan
6. Geeta Sinha Daughter Of Late Sita Ram Prasad At Present Resident Of Mohalla- Khurmabad, P.O. & P.S.- Siwan, District And Town- Siwan
7. Ashwani Kumar Yadav Son Of Feku Prasad Resident Of Village- Tarwa, P.O. & P.S.- Siwan Mufassil, District- Siwan
8. Kamlesh Mishra Son Of Badri Narayan Mishra At Present Resident Of Mohalla- Khurmabad, P.O. & P.S.- Siwan Mufassil, District- Siwan

.... Respondents

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Appearance :

For the Petitioners : Mr. Sunil Kumar

For the Respondents : Mr. Mithilesh Kumar AC to SC6

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 28-08-2015

Heard the parties.

The defendant of Title suit no. 213 of 1991 has filed the writ application to question the sustainability of the order dated 07.08.2010 (Annexure-4) passed by the Judicial Magistrate, Ist Class, Siwan whereby the petition for considering the maintainability of the suit has been considered and disposed of.

Counsel for the petitioner states that the writ application be disposed of considering the observation made by the trial Court in the impugned order itself that the trial has already commenced and all issues of fact and law shall be considered at the hearing of the trial itself.

The application is disposed of.

(Kishore Kumar Mandal, J)

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