

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15511 of 2010

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Ashok Kumar, Son of Late Rupahand Mahto, resident of Village- Supaul,
P.S.- Akbarpur, District- Nawadah.

.... Petitioner.

Versus

Md. Iliyas, Son of Late Jannat Hussain, Resident of Village- Nemdarganj,
P.S.- Akbarpur, District- Nawadah.

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Hans Raj, Advocate

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

5 09-01-2015

The instant application is filed against the order dated 26.07.2010, passed in Misc. Case No. 12 of 2010, whereby the learned District Judge, Nawadah rejected the prayer of the petitioner to transfer Title Appeal No. 71 of 1982 from the Court of Fast Track Court No.-III, Nawada to the court of 2nd Additional District Judge, Nawada.

The learned District Judge, Nawada while rejecting the prayer observed that a party cannot choose its Court. He further observed that the court of 2nd Additional District & Sessions Judge, Nawada is lying vacant.

The matter is of the year 2010 and we are in 2015. As such neither the then Fast Track Court No.-III, Nawada nor the court of 2nd Additional District Judge, Nawada would be functioning on the said post.

I find that earlier time was sought on 20.11.2014, 03.12.2014 and 11.12.2014. Again a prayer for time is being made.

This application is dismissed for default.

(Samarendra Pratap Singh, J.)

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