

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11506 of 2015

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Ramesh Rout

.... Petitioner/s

Versus

Aditya Kumar Verma

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

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14-12-2015

Heard learned counsel Mr. Nand Kishore Prasad Sinha

for the petitioner.

This application under Article 226 of the Constitution of India has been filed by the petitioner for issuance of an appropriate writ, order or direction directing the court below to decide Title Appeal No.1208 of 2014/Trial No.29 of 2014.

The Hon'ble Supreme Court in the case of **Radhey Shyam Vs. Chhabi Nath, (2009) 5 SCC 616** has held that the Civil Courts are not amenable to writ jurisdiction under Article 226 of the Constitution of India. Thus, this decision was referred to larger Bench and subsequently by the Hon'ble Supreme Court in **(2015) 5 SCC 423 (Radhey Shyam & Anr vs Chhabi Nath & Ors)** has confirmed this view. Therefore, this writ application under Article 226 of the Constitution of India is not maintainable.

Thus, this writ application is dismissed.

Harish/-

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(Mungeshwar Sahoo, J)