

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23285 of 2011

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1. Anirudh Prasad Gupta @ Anirudh Gupta Son Of Late Sheo Pujan Sah
Resident Of Village Haziapur P.O. & P.S. Gopalganj District Gopalganj

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District And Sessions Judge, Chapra
3. The Additional Sub Judge, 3rd, Chapra
4. The Registrar, Civil Court, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Chandra Sahni
For the Respondent/s : Mr. Rajesh Kumar Gp21

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 27-11-2015 The petitioner's ancestor was defendant of Title suit no. 25 of 1963 (partition) which was disposed of by the learned Additional Sub Judge-III, Chapra on 30.9.1969. The plaintiff filed the first appeal in this Court vide F.A. No. 9 of 1970. The same was disposed of on 10.04.1973 by this Court. In para-8 the petitioner has asserted as under:-

“8.That it is stated that the matter was heard by the then Hon'ble Mr. Justice S.P.Singh and Hon'ble Mr. Justice A.N. Mukherjee on 10.4.1973 and their Lordships were pleased to pass order the appeal be disposed of as against respondent no.4 according to the terms of the compromise which will form part of the decree and be dismissed as against other respondents, but without costs.”

The petitioner is now desirous of having certified

copy of the judgment and decree passed in the said suit. Since his effort to obtain the same failed in the Court below the present writ petition has been filed.

It has been submitted that the requisition for certified copy was not accepted by the authority of the Civil Court. Under Rule 222 of the Civil Court Rules certain documents are obliged to be retained by the Court. The petitioner, having regard to the said provisions, states that certified copy of those documents which are retained by the Court, if available, should be given to the petitioner on payment of appropriate fee.

Having heard the petitioner, I dispose of the writ application directing the Registrar of the Civil Court or whatever designation he is called to accept the requisition to be filed by the petitioner and to supply the certified copies of documents available with the Court as per the provisions of the Civil Court Rules on payment of appropriate fee as quickly as possible.

(Kishore Kumar Mandal, J)

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