

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.866 of 2012

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1. Ramnavami Pandey, Son of Late Phulena Pandey
 2. Munna Kumar Pandey, Son of Ramnavami Pandey
 3. Ashutosh Pandey, Son of Ramnavami Pandey
 4. Pramod Kumar Pandey, Son of Ramnavami Pandey

All are resident of Village-Puraina (Mehesara, Malahi Tola, P.O.-Sunargawa,
P.S.-Gopalpur Sikta, West Champaran.

.....Petitioners/Appellants

Versus

1. Hiralal Sah, Son of Sri Prasad Sah, resident of Village-Puraina (Mahesara)
Malahi Tola, P.O.-Sunargawa, P.S.-Gopalpur Sikta, West Champaran.
2. Sumitra Devi, Wife of Manager Pandey, resident of Village-Puraina (Mahesara)
Malahi Tola, P.O.-Sunargawa, P.S.-Gopalpur Sikta, West Champaran.
3. Brij Bihari Pandey, Son of Late Chandrikar Pandey.
4. Girdhari Pandey, Son of Late Chandrika Pandey, resident of Village-Parsauna,
P.O.-Bakulaharmath, P.S.-Gopalpur, Distt.-West Champaran.
5. Sudama Devi, Wife of Sri Pandit Mishra, D/o Late Chandrika Pandey, resident of
Village-Ratanmala (Mishir Tola), P.O.-Ratanmala, P.S.-Majhauria, Distt.-West
Champaran.

.....Opposite Parties/Respondents

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Appearance :

For the Appellant/s : Mr. Awanish Kumar Pandey, Advocate
Mr. Radha Mohan Pathak, Advocate

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA

ORAL JUDGMENT

Date: 20-02-2015

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

2. Heard learned counsel for the appellants.

3. This is an appeal preferred against the order dated 10th July, 2012 passed in Title Suit No. 48 of 2012 by Sub-Judge – IV, Bettiah, West Champaran, who by the impugned order not only directed the parties to maintain *status-quo*, but also framed some time limit to proceed with the suit on priority basis and get it disposed of within a limited period and also indicated the consequences if either of the sides fails to observe the directions.

4. Initially, the petitioners-appellants preferred C.W.J.C. No. 13743 of 2012 which, vide order dated 5th December, 2012, converted into miscellaneous appeal and now the same has been listed under the heading “For Hearing Under Order XLI Rule 11 CPC”.

5. Taking into consideration, the observations and conditions as mentioned in the order impugned, there appears no necessity to interfere with the order, consequently, the appeal is hereby disposed of at this stage itself with a direction to the court in *Seisin* to go

through the order and follow the same strictly, if the appeal is still pending (which is not expected in view of order impugned).

6. Let a copy of the judgment be communicated at once to the court below for needful.

(Akhilesh Chandra, J)

Praveen-II/-

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