

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.750 of 2013

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1. Akhileshwar Prasad Bhagat @ Akhileshwar Bhagat, son of late Banarasi Prasad Bhagat, resident of Amarpur, P.S. – Amarpur, District – Banka also resident of Naya Tola Bhikhanpur, P.S. – Ishakchak, District – Bhagalpur.
 2. Ashok Kumar Bhagat, son of late Saryu Prasad Bhagat, resident of Amarpur, P.S. – Amarpur, District – Banka also resident of Naya Tola Bhikhanpur, P.S. – Ishakchak, District – Bhagalpur.

.... Appellants

Versus

1. Umakant Bhagat
2. Prabhunath Bhagat

Both sons of late Shital Prasad Bhagat

Resident of Amarpur, P.S. – Amarpur, District – Banka, also resident of Naya Tola, Bhikhanpur, P.S. – Ishakchak, District – Bhagalpur.

.... Respondents

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA
ORAL JUDGMENT

Date: 10-03-2015

This appeal has been placed under the heading “For Orders (On Petitions)”.

Delay is condoned in filing the appeal.

Accordingly, Interlocutory Application No. 8407/2013 stands allowed.

This appeal has been preferred against order dated 25th July 2013 refusing second prayer of ad interim injunction made by plaintiff appellant in Title Suit No. 249/1998 pending before learned 4th

Sub-Judge, Bhagalpur.

In view of submissions that evidence on behalf of plaintiff appellant before the court below is about to be closed and order impugned is passed almost two years ago.

There appears no reason to interfere in the order, consequently, this appeal stands disposed of without any adjudication on merit but with a direction to the court below to proceed expeditiously and conclude the proceedings at the earliest.

Rajeev/-

(Akhilesh Chandra, J.)

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