

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1352 of 2016

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Ram Nath Gurda

.... Appellant/s

Versus

President Sambas Sadan Samittee, Gaya Cum District Magistrate & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Sinha No.3

For the Respondent/s : Mr. Md. Raisul Haque- Sc10

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 16-12-2016 Heard the learned counsel for the petitioner.

Perused the impugned order dated 08.09.2016 passed by
Munsif Ist, Gaya in Title Suit No.24 of 2016.

It appears that the plaintiff petitioner filed the aforesaid suit for declaration that he is not a defaulter in payment of rent and further for injunction restraining the defendant No.1 from evicting the plaintiff-petitioner forcefully. Subsequently, injunction application was filed and the plaintiff petitioner pressed the injunction application to pass interim order. By the impugned order, the Court below held that after filing injunction application, amendment application was filed by the plaintiff himself and instead of arguing the injunction application praying for interim relief, therefore, the Court below held that the delay is caused by the plaintiff. The Court below also held that prior to hearing the injunction application, no interim order can be passed and



accordingly rejected the prayer for passing interim order.

Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Accordingly, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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