

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5005 of 2014

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1. Md. Alamgir Son Of Md. Liyakat Haque Resident Of Village - Rohai,
P.S. Karpi, District - Arwal

2. Md. Alamgir Son Of Md. Liyakat Haque Resident Of Village - Rohai,
P.S. Karpi, District - Arwal

.... Petitioner/s

Versus

1. Rohai Gramin Vikash Santi Samiti Represented By Hira Lal Singh Son
Of Late Bindeshwar Singh

2. Laxman Singh Son Of Shiv Sharan Singh

3. Rajendra Prasad Chandrawanshi Son Of Late Ram Prasad Singh

4. Ramanand Singh Son Of Late Rameshwar Singh

5. Ram Lakhan Singh Son Of Late Dhanraj Singh

6. Uday Narayan Singh Son Of Late Dasai Singh All Resident Of Village -
Rohai, P.S. Karpi District - Arwal

7. The State Of Bihar Through D.M. Arwal

8. The Circle Officer, Karpi, District - Arwal

9. The S.D.O. Arwal District - Arwal

10. Alamgir Son Of Layakat Haque

11. Mumtaz Alam Son Of Habi Mian

12. Sarfuddin Mian Son Of Ali Hussain Mian

13. Mohiuddin Mian Son Of Late Rahmat Mian

14. Mohammad Tahid Ansari Son Of Late Rajaque Mian All 11 To 14 Are
Residents Of Village Ghosi, P.S. Karpi, District - Jehanabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Respondent/s : Mr. Gp-1 Uday Shankar Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 28-01-2016

Heard learned counsel for the petitioners.

This application, under Article 227 of the
Constitution of India, has been filed by the petitioners for direction
to the learned Munsif, Jehanabad to decide the Title Suit No. 11 of
2010 in a scheduled time frame.

It is settled principle of law as has been held by the
Hon'ble Supreme Court in the case of *Radhey Shyam and*

Another Versus Chavi Nath & Others reported in **2015 (5) SC 423** that all the courts in the jurisdiction of a High Court are subordinate to it and suppose to its control and supervision under Article 227 of the Constitution. Control of working of the subordinate courts in dealing with their judicial orders is exercised by way of statuto

ry appellant or revisional powers, or power of superintendence under Article 227. While appellant or revisional jurisdiction is regulated by the statutes, power of superintendence under Article 227 is constitutional. Despite the curtailment of revisional jurisdiction under Section 115 C.P.C. by Act No. 46 of 1999, the jurisdiction of High Court under Article 227 remains unaffected, and has not resulted in expanding the High Court’s power of superintendence. In view of these settled principle of law, now, the application for supervision under Article 227 is maintainable against the order against which neither appeal is maintainable nor revision is maintainable. For general direction, the application under Article 227 itself is not maintainable. therefore, this writ application is dismissed. However, the petitioner may pray before the court below.

(Mungeshwar Sahoo, J)

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