

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6139 of 2013**

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Suresh Prasad Singh son of late Bhola Prasad Singh, Resident of Village-Maghra, Police Station-Dipnagar, Distt-Nalanda, at present residing at House No.184 MIG, Kankarbagh, PS-Kankarbagh, Town and Distt-Patna.

.... .... Petitioner/s

Versus

1. Sri Prabhat Kumar Kanodia son of Late Sri Sheo Shankar Kanodia, Resident of Lal Bazar Bettiah, PS.Bettiah, West Champaran.

.... .... 1<sup>st</sup> Set Opposite Party

2. The Bihar State Housing Board, through its M.D. Housing Board, Patna.

3. Executive Engineer, Bihar State Housing Board, Patna Parmandal 1, Kankarbagh, Patna-20.

.... .... 2<sup>nd</sup> set Opposite Party.

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**Appearance :**

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Respondent No.1 : Mr. Ansul, Advocate

Mr. Archit Rajpal, Advocate

For Respondent No. 2 : Mr. Anshuman Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

3      11-03-2016                      Heard learned counsel for the petitioner as well as learned counsel for the Respondent No.1 as well as Respondents No.2 and 3.

2. Gone through the order impugned inconsonance with the contents of interrogatory so served (Annexure-4). After parallel scrutiny thereof, it is evident that the order impugned needs no interference.

3. Petition is found devoid of merit and is, accordingly, rejected.

4. Learned counsel for the petitioner submits that he will co-operate with the court in having disposal of the instant Title Suit bearing No. 493/1995, preferably within three

months. On such undertaking, the cost so imposed by the learned lower court against the petitioner is struck off.

5. However, it is made clear that in case the petitioner fails to stick to his undertaking, then in that event, the cost so imposed by the learned lower court will, automatically, be surfaced.

6. Side by side, the learned lower court is also directed to proceed with the trial on day-to-day basis and conclude the same within three months, wherein, the other respondents have also consented.

7. The stay so granted vide order dated 10.04.2013 is, hereby, vacated.

**(Aditya Kumar Trivedi, J)**

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