

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.657 of 2015

In
Civil Writ Jurisdiction Case No. 24828 of 2013

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Sangita Devi

.... Petitioner/s

Versus

Prabhu Sagar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 10-02-2016

Heard learned counsel for the petitioner.

This M.J.C. application has been filed by the petitioner for initiating contempt proceeding on the ground that the Court below has disobeyed the order dated 26.03.2014 passed by this Court in C.W.J.C. No. 24828 of 2013.

The learned counsel for the petitioner submitted that in Miscellaneous case No. 5 of 2011, the Court below stayed the further proceeding in preparation of the final decree which was challenged by the plaintiff in C.W.J.C. No. 24828 of 2013 and while issuing notice, the operation of the order was stayed. The learned counsel submitted that subsequently in the suit, i.e. Title Suit No. 182 of 2007 dated 09.09.2014, the Court below has stayed the further proceeding.

In my opinion, it cannot be termed as contempt of the

Court because it is a separate order which can be challenged by the petitioner in appropriate proceeding.

Thus, this MJC application is dismissed.

(Mungeshwar Sahoo, J)

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