

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11833 of 2013

Mostt. Kaushilya Kuer, W/O Radha Mohan Sahi (Deceased), Resident of Village Baruraj Tole Kotiya, P.S. Baruraj Anchal Motipur Sub Registry Office Paroo, Munsifi Muzaffarpur West, P.O. Baruraj, District - Muzaffarpur

.... Petitioner/s

Versus

1. Subh Narain Shahi, Son of Brahamdeo Shahi (Deceased), Resident of Village Tole Kothiya, P.S. and P.O. Baruraj Munsifi Muzaffarpur West, Sub Registry Office Paroo, District Muzaffarpur
2. Banarshi Rai, Son of Punit Rai, Resident of Village Baruraj Tole Bakhari, P.S., P.O. Baruraj Sub Registry Office Paroo Munsifi Court Muzaffarpur West, District Muzaffarpur
3. Awadh Kishore Rai, Son of Banarshi Rai, Resident of Village Baruraj Tole Bakhari, P.S., P.O. Baruraj Sub Registry Office Paroo Munsifi Court Muzaffarpur West, District Muzaffarpur

.... Respondent/s

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Ashok Kumar Sinha, Advocate.

Mr. Shyam Sundar Pandey, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 20-10-2016

Heard learned counsel for the petitioner and the learned counsel for the respondents.

2. This application, filed on behalf of the petitioner, under Article 227 of the Constitution of India, is directed against the order dated 20.03.2013 passed in Title Suit No. 23 of 1988, whereby the learned Execution Munsif, Muzaffarpur, allowed the application of the defendant/respondent no. 3, filed under Section 4 (C) of the Consolidation of Holdings and Prevention of Fragmentation Act for

abating the T.S. No. 23 of 1998 due to notification of consolidation proceeding under Section 3 of the Consolidation of Holdings and Prevention of Fragmentation Act.

3. I find no illegality in the impugned order amounting to an abuse of the process of the court for interference in an extraordinary jurisdiction under Article 227 of the Constitution of India.

4. Accordingly, this writ application stand dismissed.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	