

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5474 of 2015

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Ashwini Kumar Mishra

..... Petitioner/s

Versus

Chandra Mohan Tiwary & Ors

..... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Mishra
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

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2 18-03-2016 Heard the learned counsel, Mr. Vinay Kant Mani
Tripathi for the petitioner.

This application under Article 226 of the Constitution of India has been filed by the petitioner for issuance of a writ in the nature of mandamus commanding the Executing Court of Sub Judge IV, West Champaran, Bettiah to proceed with Execution Case No.3 of 2013.

Hon’ble Supreme Court in the case of **Radhey Shyam & Ors. v. Chhabi Nath & Ors., (2015) 5 Supreme Court Cases 423** has held that there is no precedent in India for the High Courts for issuance of writ to the Subordinate Courts.

Therefore, no such relief can be granted to the petitioner in this writ application under Article 226 of the Constitution of India.

Accordingly, this writ application is dismissed.

Saurabh/-

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(Mungeshwar Sahoo, J)