

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5190 of 2016

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Rajendra Rai @ Rajendra Singh

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Bihari

For the Respondent/s : Mr. Gp19- Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 20-07-2016 Perused the impugned order dated 28.11.2015 passed by Addl. District Judge Ist, Ara in Title Appeal No.88 of 2014 whereby the learned Court below has allowed the injunction application filed by the respondent restraining the petitioner from making construction and modification or alteration in the land in question.

This order disposing of the injunction application is appealable under Order 43 Rule 1 Clause (r) CPC. Therefore, the petitioner has the remedy under the Code of Civil Procedure. Therefore, in my opinion, this writ application is not maintainable. Thus, it is dismissed as not maintainable.

However, the petitioner may, if so advised, file Appeal against the impugned order.

Sanjeev/-

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(Mungeshwar Sahoo, J)