

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.433 of 2016**

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Veena Mallick

.... Appellant/s

Versus

Ms. Richa Mallick & Anr

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Veena Mallik (In Person)

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 11-07-2016

Heard the learned counsel for the petitioner in person.

Perused the civil miscellaneous application and the relief
claimed by the petitioner.

It appears that the petitioner has prayed for issuance of a
writ in the nature of Mandamus directing the Court below to
dispose of the objection filed by her in Title Suit No.536 of 2010
pending in the Court of Sub Judge, Civil Court, Hajipur.

It may be mentioned here that so far the issuance of writ
is concerned, the High Court never issues writ under Article 227
of the Constitution of India as has been held by the Supreme Court
in the case of **Shalini Shyam Shetty and another v. Rajendra
Shankar Patil, (2010) 8 Supreme Court Cases 329.**

The Supreme Court further in the case of **Radhey Shyam
v. Chabi Nath, (2015) 5 Supreme Court Cases 423** has held that
the Civil Courts are not amenable to writ jurisdiction.

I, therefore, find that for the relief claimed by the petitioner, this civil miscellaneous application under Article 227 is not maintainable. Thus, it is dismissed.

However, the petitioner is at liberty to move the Court concerned for expeditious disposal of her objection.

(Mungeshwar Sahoo, J)

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