

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10340 of 2014

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Md. Zakir Khan son of Late Shakir Khan resident of Kachahry Masjid,
Under Ward No. 9 within Kishanganj Municipality P.O. P.S. and District
Kishanganj Petitioner.

Versus

1. The State of Bihar through the Collector Kishanganj, District -
Kishanganj
2. The Executive Engineer, P.W.D. Kishanganj, District - Kishanganj
3. Sub - Divisional Officer, Kishanganj, District – Kishanganj. Respondents.

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh
For the Respondent/s : Mr. Gp30-Raju Giri

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

2 28-06-2016

No body appears on behalf of the petitioner.

Perused the impugned order as well as
averments made in the application.

This application has been filed under Article
227 of the Constitution of India seeking a direction to the
respondents not to demolish the part of the residential house of the
petitioner over the suit land and grant injunction in connection
with Title Suit No.30/1996. The further prayer has been made to
quash the impugned order dated 19.05.2014 whereby the prayer
for injunction as made by the plaintiff-petitioner has been rejected.

It is manifest that the petition filed by the
plaintiff-petitioner under Order 39 Rule 1 and 2 C.P.C. praying for
restraining from the residential house over the suit land has been
rejected by order dated 19.05.2014. The said order is appellable.

In that view of the matter, the present application is held to be not maintainable and is dismissed as such.

(V. Nath, J)

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