

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6443 of 2016

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Mostt. Jaimanti Devi & Anr

.... Petitioner/s

Versus

Baijnath Sahu & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 27-07-2016 Heard learned counsel Mr. Ajay Kumar for the

petitioners.

Perused the order dated 29.02.2016 passed by District Judge, Bhagalpur in Miscellaneous Transfer Petition No.04 of 2016 whereby the court below has rejected the application for transfer of Title Appeal No.90 of 1994 to another competent court.

From perusal of the order, it appears that the appeal was fixed for judgment and because of transfer petition the judgment could not be delivered. The District Judge also observed that the petitioner is trying to delay the disposal of the appeal and accordingly rejected the application.

According to the learned counsel for the petitioner, there is error apparent on the face of the record whereby the learned District Judge observed that because of transfer petition the judgment could not be delivered. If it is the fact then also it cannot

be examined by this court in exercise of supervisory jurisdiction. It may be a case for review but cannot be the case for exercise of supervisory jurisdiction under Article 227 of the Constitution of India.

Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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