

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.39 of 2016

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Smt. Sidhidatri Sinha Ritumadhar

.... Appellant/s

Versus

Sri Om Prakash Narain Sinha

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Gajanan Arun

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 01-08-2016

Heard learned counsel for the petitioner.

Perused the order dated 11.04.2016 passed by
Subordinate Judge-V, Patna City in Miscellaneous Case No.06 of
2012.

It appears that the petitioner filed an application in the
court below for granting opportunity to be heard in the
miscellaneous case. The court below has allowed this application
filed by the petitioner granting him opportunity to be heard in
miscellaneous case but awarded cost of Rs.1,000/-. Instead of
arguing the case and paying the cost the petitioner has filed this
miscellaneous application under Article 227 of the Constitution of
India. This shows the intention of the petitioner to delay the
disposal of the miscellaneous case and thereby the petitioner is
abusing process of the Court.

In my opinion, therefore, the impugned order needs no

interference in supervisory jurisdiction. Thus, this application is nothing but frivolous and vexatious application. Thus, this civil miscellaneous application is dismissed with cost of Rs.5,000/- to be deposited by the petitioner which must be deposited in the court below within one month from today failing which the Court shall realize the same according to the procedure of law. If cost is deposited, the same may be paid to the respondent herein in the court below.

(Mungeshwar Sahoo, J)

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