

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.574 of 2014

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Sri Shyam Nandan Singh @ Ram Pravesh Singh

.... Appellant/s

Versus

Ram Ratani Devi & Ors.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajendra Narayan

For the Respondent/s : Mr. Gautam Kumar Yadav

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

10 17-11-2016

Heard learned counsel for the parties.

In the present case, the appellant is challenging the order, dated 28.08.2014, passed in Title Suit No. 463 of 2009 by the learned 3rd Subordinate Judge, Patna, whereby and whereunder the Court below has rejected the injunction petition claiming to be without any cogent reason. The parties have agreed that instead of deciding the case on merit, this Court should pass an order of status quo as has been done vide order, dated 15.12.2014. As on that date, this Court has passed the order for maintaining the status quo, parties have agreed that they will cooperate effectively in the disposal of suit. As has been informed by the parties, that the defendant has already filed the written statement and it is at the stage of framing of the issues, let the Trial Court should decide the Suit itself preferably within a period of 9 months from the date of receipt/production of a copy of this order, the same will be on the

subject of cooperation extended by the parties.

It is also made clear that whatever the interlocutory petitions are filed will be decided by the Trial Court at the stage of the final Judgment and the parties are at liberty to take recourse or take point in the appeal, so that instead of deciding the incidental matter of objection raised by the parties all will be decided in the final judgment. There is no need to pass any order in between.

Let this order be communicated to the Court below for early disposal of the suit.

This appeal is disposed of accordingly.

(Shivaji Pandey, J)

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