

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8579 of 2014

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M/s Blue Heavens Agro Industries Ltd. through the Director, Mr. Birendra Kumar Singh S/o Shri Deonandan Prasad Office at 93/A, R.K. Venue Rajendra Nagar, P.S-Kadamkuan, P.O- Rajendra Nagar, Distt- Patna.

.... Petitioner/s

Versus

1. Smt. Prabha Sinha W/o Dr. Ram Sharan Sinha.
2. Dr. Binod Kumar Sinha
3. Sri Vijay Kumar Sinha
4. Sri Vinay Kumar Sinha Respondent no. 2 to 4 are sons of Dr. Ram Sharan Sinha All resident of Patliputra Path, Rajendra Nagar, Distt- Patna.
5. Housing Urban Development Corporation Limited (Hudco) a registered Financial Institution its office is located at 2nd Floor, B. Block at Maurya Lok Complex, Patna P.S- Kotwali, District- Patna through its registered Manager
6. The Branch Manager, The Punjab National Bank New Market Branch, Patna at Fraser Road, P.S Kotwali, P.O.G.P.O, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore

For the Respondent/s : Mr. Kumar Priya Ranjan

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL ORDER

2 03-03-2016

Heard the learned counsel for the petitioner.

By the impugned order, the learned court of District Judge has rejected the petition filed by the petitioner under Section 24 C.P.C. for transfer of the suit to another court where another suit was pending. It has been the case of the petitioner that both the suits i.e. T.S. No. 141 of 2009 and T.S. No. 640 of 2013 are

between the same parties with regard to the same properties and issues are also the same. However, from the impugned order, it also appears that a petition under Section 10 C.P.C. has been filed on behalf of the petitioner and that petition was still pending. The learned court below has rightly come to the conclusion that till the disposal of the said petition under Section 10 C.P.C. no order for transfer could have been passed. In this view of the matter, this Court does not find any reason to interdict the impugned order.

The writ application is, accordingly, dismissed.

(V. Nath, J)

Devendra/-

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