

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13507 of 2012

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1. YOGESHWAR BHAGAT, SON OF LATE SITA RAM BHAGAT RESIDENT OF MOHALLA - KALIBAGH, WARD NO. 11, POLICE STATION - BETTIAH, DISTRICT - WEST CHAMPARAN

2. NIRANJAN KUMAR, SON OF YOGESHWAR BHAGAT RESIDENT OF MOHALLA - KALIBAGH, WARD NO. 11, POLICE STATION - BETTIAH, DISTRICT - WEST CHAMPARAN

3. UPENDRA KUMAR, SON OF YOGESHWAR BHAGAT RESIDENT OF MOHALLA - KALIBAGH, WARD NO. 11, POLICE STATION - BETTIAH, DISTRICT - WEST CHAMPARAN

4. RANJAN KUMAR, SON OF YOGESHWAR BHAGAT RESIDENT OF MOHALLA - KALIBAGH, WARD NO. 11, POLICE STATION - BETTIAH, DISTRICT - WEST CHAMPARAN

.... PETITIONER/S

VERSUS

1. NAGESHWAR PRASAD, SON OF LATE SITA RAM BHAGAT RESIDENT OF MOHALLA - KALIBAGH, WARD NO. 11, POLICE STATION - BETTIAH, DISTRICT - WEST CHAMPARAN

.... RESPONDENT/S

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Appearance :

For the Petitioner/s : Mr. Shiv Kumar Dwivedy--Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

04 06-01-2016

Heard learned counsel for the petitioners.

It has been submitted on behalf of learned counsel for the petitioners that against judgment as well as preliminary decree passed in Title (Partition) Suit No.153 of 2003, appeal has been preferred and is pending before the Appellate Court.

During midst thereof, steps have been taken to proceed with final decree and during course thereof, some sort of intermediary objections have been disposed of by the order impugned against which instant petition has been filed.

Furthermore, it has been submitted that stay petition in terms of Order-41, Rule-5 of C.P.C. has not been filed up-till-now before the learned Appellate Court.

Directing the petitioners to pray before the learned Appellate Court in terms of Order-41, Rule-5 of C.P.C., instant petition is disposed of.

(Aditya Kumar Trivedi, J)

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