

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22629 of 2012

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1. NAG NARAYAN SINGH S/O LATE BHIKHAR PRASAD SINGH @
RAMA PRASAD SINGH.
2. BINA DEVI WIFE OF NAG NARAYAN SINGH
3. SHANKAR SINGH
4. KANHAIYA SINGH
BOTH SERIAL NO.3 AND 4 ARE SONS OF NAG NARAYAN
SINGH
ALL RESIDENT OF VILLAGE- KARSAHIA, P.O.- KARSAHIA,
P.S.- DHAKA, DISTRICT- EAST CHAMPARAN.
.... PETITIONER/S

VERSUS

1. CHANDRIKA SINGH SON OF LATE BHIKHAR SINGH @ RAMA
PRASAD SINGH
2. RAVI SHANKAR SINGH
3. MUKUND SINGH
BOTH SERIAL NO.2 AND 3 ARE SONS OF CHANDRIKA SINGH
ALL RESIDENT OF VILLAGE- KARSAHIA, P.O.- KARSAHIA,
P.S.- DHAKA, DISTRICT- EAST CHAMPARAN.
4. MD. ILIYASH
5. MD. ABASS
BOTH SERIAL NO.4 AND 5 ARE SONS OF MD. HANIF
6. BASIR AHMED
7. AKIR AHMED
8. NASIR AHMED
ALL SERIAL NO.6 TO 8 ARE SONS OF SK. NAYEEM.
ALL RESIDENT OF VILLAGE- KARSAHIA, P.O.- KARSAHIA,
P.S.- DHAKA, DISTRICT- EAST CHAMPARAN.
.... RESPONDENT/S

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Appearance:

For the Petitioner/s : Mr. Binod Kumar Singh
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 27-01-2016

Heard learned counsel for the petitioners.

The learned lower court should have considered that usufruct of a decree should be properly availed by the judgment holder. It happens to be an apathy that a suit of year 1998, having decreed followed with execution case no.105 of 2004 is still

pending before Sub-Judge-VIIIth, East Champaran at Motihari.

The learned lower court will see that aforesaid execution case is disposed of at an earliest more preferably, within nine months failing which the learned lower court will be answerable. The learned District & Sessions Judge, East Champaran at Motihari will keep proper surveillance over the above referred execution case so that it could be disposed of within the stipulated period.

Office to communicate learned lower court as well as plea to the District & Sessions Judge, East Champaran at Motihari.

With the aforesaid direction petition is disposed of.

(Aditya Kumar Trivedi, J.)

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