

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10696 of 2010

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Jaleshwar Rai

.... Petitioner

Versus

Ranjeet Singh & Ors.

.... Respondents

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Appearance :

For the Petitioner : Mr. Mahesh Narayan Parbat
Mr. Ved Prakash Srivastava

For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
TRIVEDI
ORAL ORDER

3 12-08-2016

Heard learned counsel for the petitioner as well as

learned counsel for the respondents. Gone through the order
impugned.

The dispute happens to be amongst landlord and
tenants. Respondents/ tenants appeared and filed an affidavit to
permit them to contest the suit but the same was rejected at an
earlier stage on account of being not placed. Petitioner was
directed to file relevant order sheet to suggest whether the Court
had ever directed the tenants to move their petition or in routine
manner, dates were granted. Petitioner failed to file aforesaid order
sheet.

For getting the dispute conclusively decided,
presence of tenants is necessary on the point of delay, as claimed,
is not going to give any advantage to the petitioner, when the

matter at the present stage is itself pending for more than six years. Had there been proper effort at the end of the parties, the dispute might have been decided during the intervening period. Moreover, after going through the order impugned, the same is not at all found adverse too, more in the background that petitioner had already been duly compensated.

Accordingly, the instant petition is rejected directing the opposite parties to be sincere and careful and further asking the learned Lower Court to dispose of the instant petition within the shortest possible period without granting undue adjournment to any of the party. The stay so granted, vide order dated 18.08.2010 by a co-ordinate Bench of this Court, is hereby vacated.

(Aditya Kumar Trivedi, J.)

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