

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1071 of 2016

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1. Sabra Khatoon Wif eof Md. Annu, resident of Mohalla Police Line
Gaiwal Bigha near Masjid, P.S.- Rampur, District- Gaya.

.... Appellant/s

Versus

1. Ashima Khatoon D/o- Md. Yunus resident of Mohalla- Police Line,
Gaiwal Bigha, near Masjid, P.S.- Rampur, District- Gaya.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhananjay Kumar Pandey

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

3 21-11-2016

Heard learned counsel for the petitioner.

This application under Article 227 of the Constitution of India has been filed by the petitioner praying for directing the Judicial Magistrate, Gaya to stay the proceeding of Execution Case No. 12 of 1015, which is pending before the Execution Munsif Gaya.

It may be mentioned here that against the judgment and decree the petitioner has filed Title Appeal No. 18 of 2015. The petitioner in stead of moving the stay application before the appellate court has filed this Civil Misc. Application before the High Court directly. The High Court while exercising jurisdiction under Article 227 of the Constitution of India, do not exercise original jurisdiction, rather it is supervisory jurisdiction.

Thus, this Civil Misc. Application is dismissed.

However, petitioner may approach the appellate

court.

siddharth/-

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(Mungeshwar Sahoo, J)