

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1239 of 2016**

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Anjani Kumar

.... Appellant/s

Versus

Damayanti Devi & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pramod Kumar Singh

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 25-11-2016

Heard learned counsel for the petitioner.

2. This application has been filed under Article 227 of the Constitution of India for issuance of writ in the nature of mandamus directing the Sub-Judge-III, Danapur, Patna to prepare the final decree in T.S. No. 263 of 1985.

3. The Hon'ble Supreme court in the case of *Shalini Shyam Shetty & Anr. Versus Rajendra Shankar Patil* reported in **2010(8) SCC 329** has held that the High Court never issues writ under Article 227 of the Constitution of India. For examining the illegality or otherwise of any order passed by the court below, nothing has been produced before this Court. Thus, no writ of mandamus can be issued under Article 227 of the Constitution of India. Accordingly, this civil miscellaneous application is dismissed.

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(Mungeshwar Sahoo, J)