

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11667 of 2014

=====

1. Bibi Fekan, Wife of Hafijullah, Resident of Village- Kaithwali, P.O.+P.S.-
Mariwa, District- Siwan, Presently residing at Sheikh Mohalla, Mirchai Sah Ka
Takiya, P.O.+P.S.- Siwan, District- Siwan

.... Petitioner/s

Versus

1. Md. Anwar Ali, Son of Md. Halif, Resident of - Telhatta Bazar, Siwan, P.S.-
Siwan, District- Siwan

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Adv

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 09-08-2016

Heard Mr. Ranjeet Kumar, learned counsel appearing on
behalf of the petitioner.

After some arguments, learned counsel for the petitioner
has confined his prayer for issuance of a direction for expeditious
disposal of the Miscellaneous Case No. 48 of 2011 pending before
the Sub-Judge 1st Siwan. It has been submitted that the said
Miscellaneous Case No. 48 of 2011 has been filed under Order 9
Rule 13 C.P.C for setting aside the ex parte decree passed in title
suit. The present application has been filed, when the learned court
below has rejected the petition of the petitioner for stay of further
proceeding of the Eviction Suit No. 4 of 2010.

After considering the submissions and the perusal of the impugned order, this Court is not inclined to interfere with the impugned order.

The application is, accordingly, dismissed.

However, it is directed that the learned court below of Sub-Judge, 1st, Siwan should expeditiously take up the hearing of Miscellaneous Case No. 48 of 2011 and dispose it of preferably within a period of six months from the date of receipt/production of a copy of this order, in accordance with law.

(V. Nath, J)

Ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	14.09.16
Transmission Date	N.A.