

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5453 of 2016

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Ram Mohan Singh @ Mohan Singh

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey

For the Respondent/s : Mr. Sc24 S.K.Mandal

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 26-07-2016 Heard the learned senior counsel, Mr. K.N.Choubey for the petitioner and the learned counsel, Mr. Bipin Kumar, A.C. to S.C.3 for the State.

Perused the order dated 15.01.2016 passed by District Judge, Kaimur at Bhabhua in Civil Misc. Case No.27 of 2014 whereby the learned Court below allowed the civil miscellaneous case and restored the title appeal filed by the State-respondent.

It is settled principles of law that supervisory jurisdiction under Article 227 of the Constitution is exercised for keeping the subordinate courts within the bounds of their jurisdiction. When the subordinate court has assumed a jurisdiction which it does not have or has failed to exercise a jurisdiction which it does have or the jurisdiction though available is being exercised by the court in a manner not permitted by law and failure of justice or grave injustice has occasioned thereby the High Court may step into

exercise its supervisory jurisdiction.

In my opinion, in this present case, only the title appeal has been restored to its original file that too filed by the State-respondent. Therefore, in my opinion, it is not a case for interference in supervisory jurisdiction.

Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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