

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5948 of 2015

Pratibha Singh

.... Petitioner/s

Versus

The Amit Kumar Singh & Ors

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 18-03-2016

Heard learned counsel, Mr. Arwind Kumar,
appearing for the petitioner.

2. This application under Article 227 of the Constitution of India has been filed by the petitioner for a direction to Sub-Judge-VIII, Patna to dispose of the T.P.S. No. 686 of 2011 expeditiously.

3. The Hon'ble Supreme Court in the case ***Radhey Shyam & Anr. Versus Chabi Nath & Ors.*** reported in **2015 (5) SCC 423** has held that control of working of subordinate courts in dealing with their judicial orders is exercised by one of appellate or revisional powers or power of superintendence under Article 227. While appellate or revisional jurisdiction is regulated by statutes, power of superintendence under Article 227 is constitutional. Despite, the curtailment of revisional jurisdiction under Section 115 C.P.C., jurisdiction of the High Court under

Article 227 remains unaffected and has not resulted in expanding the High Court’s power of superintendence.

4. In view of this decision, if there is any order against which neither forum of appeal or forum of revision is available, the High Court can supervise the same under Article 227 of the Constitution. For general direction, as prayed for in this writ application, the application under Article 227 of the Constitution is not maintainable. Thus, this writ application dismissed.

(Mungeshwar Sahoo, J.)

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