

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20181 of 2011

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1. Anil Kumar Ajad @ Anil Kumar Singh S/O Late Ram Das @ Ram Das
Mandal Resident Of Village- Shivnagar, P.S- Sangrampur, District- Munger
.... Petitioner/s

Versus

1. The State Of Bihar Through Collector, Munger.
2. The Block Development Officer, Tetiya, Bambar Office At Kharagpur,
District- Munger.
3. The Overseer/ Junior Engineer, Anchal- Tetiya, Bambar Office At
Kharagpur, District- Munger.
4. Rakesh Kumar S/O Shivcharan Prasad Contractor Resident Of Village-
Shivnagar, P.S-Sangrampur (Titiya, Bamber), District- Munger.
.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, -Advocate
For the Respondent/s : Mr. P.K. Verma AAG 5

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

8 26-02-2016 Heard learned counsel for the petitioner as well as
learned AC to AAG-5.

2. Petitioner is aggrieved by an order dated
22.06.2011 passed in Miscellaneous Appeal No. 03/2010 which
was brought up by the petitioner against an order dated 09.04.2010
passed in Title Suit No. 06/2008 whereby and whereunder the
learned Appellate Court dismissing the appeal so preferred
declined to accede to the prayer of the petitioner in terms of Order
XXXIX Rule 1, 2 of the CPC.

3. The suit, admittedly, happens to be of the year
2008 and during intervening period, nothing adverse has been
brought up at the behest of the petitioner to suggest that any kind

of infringement of his right has been made or attempted to at the end of respondents.

4. Be that as it may, because of the fact that the suit is of the year 2008, the learned lower court is directed to take up the trial and dispose it of within six months and for that both the parties are directed to co-operate.

5. The learned lower court will not grant any kind of unreasonable adjournment to either of the party.

6. With the aforesaid observation, the instant petition is disposed of. In case of any kind of infringement during aforesaid intermediary period if alleged, at the end of the petitioner, the learned lower court will be at liberty to pass appropriate order.

(Aditya Kumar Trivedi, J)

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