

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17348 of 2015

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Sri Ramendra Kumar Agrawal & Ors

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Respondent/s : Mr. Sc29- R.R.K. Pandey

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 26-04-2016

Heard the learned counsel for the petitioners.

Although, this writ application has been filed under Article 226 of the Constitution, the learned counsel for the petitioners submitted that it may be heard treating it as an application under Article 227 of the Constitution. Accordingly, I heard him.

This application has been filed praying for issuance of a writ to dispose of Eviction Appeal No.14 of 2004(wrongly typed as 14 of 2014 in first paragraph). It may be mentioned here that High Court never issues writ under Article 227 of the Constitution of India.

So far the relief claimed in this petition is concerned, such relief cannot be granted in exercise of supervisory jurisdiction as has been held by the Hon'ble Supreme Court in the case of **Radhey Shyam v. Chhabi Nath, (2015) 5 Supreme**

Court Cases 423.

Thus, this writ application is dismissed. However, the petitioner is at liberty to press before the lower appellate court for expeditious disposal.

(Mungeshwar Sahoo, J)

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