

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14238 of 2013

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1. Birendra Prasad Singh Son Of Late Dwarika Singh Resident Of Village-
Govardhankchak, Jalpura, P.S.- Koilwar, District- Bhojpur

.... Petitioner/s

Versus

1. Chandra Shekhar Singh Son Of Late Ganesh Singh Resident Of Village-
Govardhankchak, Jalpura, P.S.- Koilwar, District- Bhojpur, At Present
Residing At Sadar Bazar, Jansi Indian Gas Agency, P.S.- Jhansi, District-
Jhansi, Uttar Pradesh

2. Shashi Shekhar Singh Son Of Late Ganesh Singh Resident Of Village-
Govardhankchak, Jalpura, P.S.- Koilwar, District- Bhojpur, At Present
Residing At Sadar Bazar, Jansi Indian Gas Agency, P.S.- Jhansi, District-
Jhansi, Uttar Pradesh

3. Baidyanath Singh Son Of Late Dwarika Singh Resident Of Village-
Govardhankchak, Jalpura, P.S.- Koilwar, District- Bhojpur

4. Kavinder Singh Son Of Late Dwarika Singh Resident Of Village-
Govardhankchak, Jalpura, P.S.- Koilwar, District- Bhojpur

5. Arun Kumar Singh Son Of Late Lal Mohan Singh Resident Of Village-
Govardhankchak, Jalpura, P.S.- Koilwar, District- Bhojpur

6. Harendra Prasad Singh Son Of Late Baleswar Singh Resident Of Village-
Govardhankchak, Jalpura, P.S.- Koilwar, District- Bhojpur

7. Raj Kishore Singh Son Of Late Bhikhari Singh Resident Of Village-
Kishunpur Tola, Governdhan Chak, Post- Sripalpur, P.S.- Koilwar, District-
Bhojpur

8. Shyam Kishore Singh Son Of Late Bhikhari Singh Resident Of Village-
Kishunpur Tola, Governdhan Chak, Post- Sripalpur, P.S.- Koilwar, District-
Bhojpur

9. The District Magistrate, Bhojpur, Ara

10. The State Of Bihar Through The District Registration Officer, Bhojpur,
Ara

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary, Advocate

For the Respondent/s : Mr. Girija Shankar Pd, Advocate

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 12-04-2016

Heard.

Plaintiff of Title suit no. 186 of 2012 pending on the
file of learned Sub Judge –I, Bhojpur at Arrah is the writ

petitioner seeking appropriate order for setting aside the sale deed dated 17.12.2012 whereby the defendant transferred the subject land in favour of the purchaser (respondent nos. 7 and 8 herein) in defiance of the stay order dated 10.04.2012 passed by the Court. It appears a petition is filed by the petitioner under Order 39, Rules 2 and 2(A) of the CPC which has not till date been considered and disposed of by the trial Court.

The relief of annulment of the sale deed , I am afraid, cannot be granted by this Court. The petitioner has already filed an application under Order 39, Rules 2 and 2(A) of the CPC. The ends of justice shall be sub served if the petitioner is permitted to pursue the said matter pending before the Court for disposal on merit and if he does so, I am sure the learned trial Court will take up the said matter and proceed to dispose of the same in accordance with law.

The writ application is disposed of with the said liberty.

(Kishore Kumar Mandal, J)

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