

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20689 of 2014

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Tantia Constructions Ltd.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti

For the Respondent/s : Mr. Ga11- Partha Sarthy

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 01-02-2016

Heard the learned counsel for the petitioner and the
learned counsel for the State Authorities.

This application under Article 227 of the Constitution
of India has been filed by the petitioner for a direction to the
learned Sub Judge I, Patna to dispose of the Misc. Case No.14 of
2012 within a month.

The Hon'ble Supreme Court in the case of **Radhey
Shyam and another v. Chhabi Nath and others, (2015) 5
Supreme Court Cases 423** has held that all the Courts in the
jurisdiction of a High Court are subordinate to it and subject to its
control and supervision under Article 227. Control of working of
the subordinate courts in dealing with their judicial orders is
exercised by way of appellate or revisional powers, or power of
superintendence under Article 227. While appellate or revisional
jurisdiction is regulated by the statutes, power of superintendence

under Article 227 is constitutional. Despite the curtailment Of revisional jurisdiction under Section 115 C.P.C., the jurisdiction of High Court under Article 227 remains unaffected, and has not resulted in expanding High Court's power of superintendence.

Therefore, in view of the settled principles laid down by the Hon'ble Supreme Court, the orders against which neither appeal is provided nor revision is provided, that can be examined in supervisory jurisdiction under Article 227 of the Constitution of India. For the general direction, as claimed in this writ application, Article 227 is not maintainable.

Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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