

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15902 of 2015

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Suryapura Primary Agricultural Credit Co-operative Society

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sri Krishna Ranjan

For the Respondent/s : Mr. Sc8- Kumar Alok

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 20-05-2016

It appears that the State of Bihar, respondent nos.1 and 2 have wrongly been made party in this application under Article 227 of Constitution. Therefore, their names are deleted from the cause title of the writ application.

Heard the learned counsel for the petitioner and the learned counsel, Mr. Prabhakar Tekriwal for the respondent Nos.3 to 5.

This application has been filed for direction commanding the Court below i.e. Sub Judge III, Rohtas at Sasaram for disposal of Money Suit No.13 of 2006.

The Hon'ble Supreme Court in the case of **Radhey Shyam & Anr. v. Chhabi Nath & Ors., (2015) 5 Supreme Court Cases 423** has held that despite the curtailment of revisional jurisdiction under Section 115 C.P.C., the jurisdiction of the High Court under Article 227 remains unaffected and has not

resulted in explaining the High Court's power of superintendence.

In view of the above settled principle of law, if prior to amendment of C.P.C., no revision application was maintainable for the like relief claimed in this application, how after amendment for the same relief application under Article 227 is maintainable.

In my opinion, therefore, this application is not maintainable and accordingly, it is dismissed.

(Mungeshwar Sahoo, J)

Saurabh/-

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