

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5573 of 2015

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Nishikant Dhanuk & Ors

.... Petitioner/s

Versus

The State of Bihar Through The District Magistrate, Munger & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabha Singh

For the Respondent/s : Mr. A.Ujjwal

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 18-03-2016

Heard learned counsel, Mr. Ram Subhash Singh,
appearing for the petitioners.

2. It appears that respondent Nos. 1 and 2 are wrongly
made party in this writ application. Accordingly, their names are
deleted.

3. This application under Article 227 of the Constitution
of India has been filed by the judgment debtor-petitioners against
the order dated 02.01.2015 passed by Munsif, Sheikhpur in
Execution Case No. 11 of 1979, whereby the court below accepted
the report of *Najir* that delivery of possession has been affected.

4. By supplementary affidavit, prayer has been made for
setting aside the original order dated 31.07.2015 passed by the
executing court in the aforesaid case. From perusal of the said
order, it appears that after considering the submission of both the
parties, the court below found that, in fact, the decree holder

accepted with full satisfaction that he has obtained delivery of possession of the suit property.

5. In such circumstances, when the delivery of possession has been affected pursuant to judgment and decree according to law, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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