

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.425 of 2016**

Sumitra Devi

.... Appellant/s

Versus

Sri Achhe Kumar Singh

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Ram Naresh Ray

For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

3 24-08-2016

Heard the learned counsel for the petitioner.

This application has been filed for direction to the Court below to dispose of Title Suit No.342 of 2006 expeditiously.

So far this relief claimed by the petitioner is concerned, it may be mentioned here that the Hon'ble Supreme Court in the case of *Radhey Shyam Vs. Chavi Nath (2015) 5 SCC 423* held that by amendment of the Code of Civil Procedure when the Civil Revision is barred against an interlocutory order, the jurisdiction of the High Court under Article 227 is not extended. The High Court can examine the order of the trial Court, if it is passed contrary to law or in the manner not permitted by law or it occasioned failure of justice or the Court passed the order assuming jurisdiction which it had not. In the present case, no such order is produced. In other words in this application, no order is challenged. Therefore, for the relief claimed by the

petitioner, this Civil Misc. application in judicial side is not maintainable. Accordingly, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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