

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.16477 of 2014**

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1. Rajeshwar Thakur
  2. Lal Keshwar Thakur Both Sons of Late Paras Nath Thakur
  3. Raj Keshwar Thakur
  4. Maheshwar Thakur
  5. Mano Devi
  6. Vijeshwar Thakur
  7. Raghav Devi 3 to 7 Sons AND Daughters of Late Shambhunath Thakur
  8. Ravindra Thakur
  9. Mukti Nath Thakur
  10. Triloki Nath Thakur
  11. Ram Kumar Thakur 8 to 11 Sons of Late Arjun Thakur
  12. Tarkeshwar Sharma
  13. Prayag Narayan Sharma
  14. Ram Jeet Thakur
  15. Fuleshu Devi
  16. Krishna Sharma
  17. Ram Vichar Sharma
  18. Baleshwar Thakur 12 to 18 Sons AND D/o Late Bhrigunath Thakur
  19. Mostt. Leelavati Devi Wife of Late Shashi Bhushan Sharma
  20. Premchand Sharma
  21. Roop Narayan Bishwakarma 20 to 21 Sons of Late Bhrigunath Thakur
  22. Kulwanti Devi
  23. Mangal Thakur
  24. Brajraj Thakur
  25. Shubh Narayan Thakur
  26. Nirmal Thakur
  27. Prajapati Thakur
  28. Kanhaiya Lal Thakur 22 to 28 Sons of D/o Late Gaya Thakur All resident of village Hewantpur, Police Station - Dariyapur, P.O. - Dighwara, District - Saran.

.... .... Petitioner/s

Versus

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1. Shivnath Thakur
  2. Shiv Pujan Thakur Both Sons of Late Jhagru Thakur
  3. Kalawati Devi D/o Sitaram Thakur
  4. Shushila Devi W/o Late Wakil Thakur
  5. Krishna Sharma
  6. Bhola Sharma Son of Late Wakil Thakur All Village - Godna, P.S. AND P.S. - Revilganj, District- Saran.
  7. Rajnarayan Thakur
  8. Deo Narayan Thakur
  9. Naga Thakur
  10. Shyam Narayan Thakur
  11. Raj Kumar Devi All 5 to 9 Sons AND D/o of Late Sugrim Thakur
  12. Prem Thakur Son of Late Parsuram Thakur
  13. Deokari Devi D/o Late Chamru Thakur
  14. Bikrara Thakur Son of Late Ram Shakal Thakur
  15. Kripal Thakur Son of Late Ram Darshan Thakur
  16. Krit Thakur
  17. Nageshwar Thakur Both 14 to 15 sons of Late ram Darshan Thakur
  18. Rampati Devi W/o Late Bhuwneshwar Thakur
  19. Ajay Thakur
  20. Suraj Thakur
  21. Badri Thakur
  22. Rashupati Nath Thakur All Sons of Late Bhubneshwar Thakur P.O. - Hewanatpur, P.S. - Dariyapur, P.O. - Dighwara, District- Saran.
  23. Chiniya Devi D/o Late Shiv Prasad Thakur
  24. Prabhu Thakur H/o Late Dhurpatia Devi, P.O. - Hemantpur, P.O. - Digwara, District- Saran.
  25. Chandra Shekhar Thakur
  26. Parmeshwar Thakur Son of Late Dhurpatia Devi and Prabhu Thakur Both R/o Village - Murthan, P.O. AND P.S. - Parmanandpur, District - Saran.
  27. Bhagwania Devi Daughter of Late Mewa Lal Thakur
  28. Shubhagia Devi
  29. Asmania Devi
  30. Dharamdeo Thakur
  31. Sharikhan Thakur

32. Champa Devi

33. Hira Devi

34. Ilaychi Devi All 20 26 Sons AND D/o Late Ram Paras Thakur

35. Mostt. Motijhari Divi Wife of Late Bhutnath Thakur

36. Shankar Thakur

37. Surendra Thakur

38. Rajendra Thakur

39. Samauti Devi All 28 to 32 Sons AND D/o Late Ganesh Thakur

40. Mostt. Shushila Devi Wife of Late Udho Thakur

41. Mostt. Chandrawati Devi Wife of Late Nagendra Thakur All resident of village  
- Hewantpur, Police Station - Dariyapur, P.O. - Dighwara, District- Saran.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Dronacharya, Adv

For the Respondent/s : Mr. Md. Waliur Rahman, Adv Mr. Manoj  
Kumar, Adv Mr. Santosh Kumar, Adv and  
Namrata Singh, Adv

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**CORAM: HONOURABLE MR. JUSTICE V. NATH**

**ORAL JUDGMENT**

**Date: 18-04-2016**

Heard Mr. Dronacharya, learned counsel appearing on  
behalf of the petitioners.

The present application has been filed under Article 227  
of the Constitution of India with a prayer on behalf of the petitioners  
for issuance of a direction to the learned court below for disposal of  
the pending injunction petition.

Mr. Waliur Rahman, learned counsel is present on behalf  
of the respondents.

After considering the submissions and perusal of the

record, it transpires that by order dated 01.11.2013 passed in T.S. No. 913 of 2013 the learned court below has issued show cause notices upon the defendants in the petition dated 03.10.2013 filed by the petitioner for grant of injunction. It however does not transpire either from the averments made in the main application or from the ordersheet that thereafter the petitioner made any prayer before the court for disposal of the said injunction petition or for grant of any interim order pending final disposal of the injunction petition.

In that view of the matter, this Court does not find it a fit case to invoke its jurisdiction under Article 227 of the Constitution of India for issuing a direction to the court below for disposal of the injunction petition.

This writ application is therefore, dismissed with liberty to the petitioners to make appropriate prayer before the court below for disposal of the pending injunction petition and if such petition is filed the same shall be considered and disposed of by the learned court below after hearing the parties and in accordance with law.

(V. Nath, J)

Ranjan/-

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