

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.179 of 2016**

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Kripa Shankar Singh & Anr

.... Appellant/s

Versus

Srimati Bharti Sinha & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajeev Kumar Sinha

For the Respondent/s : Mr.

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

ORAL ORDER

2 17-05-2016 Heard the learned counsel, Mr. T.N.Maitin for the
petitioners.

The Civil Judge(Jr. Div.) I (Munsif I), Munger in
Eviction Execution Case No.5 of 2012 only appointed the Pleader
Commissioner for effecting the execution of the decree as the
Nazir reported that for execution of the decree, Magistrate, Police,
Mahila Police and Survey Knowing Pleader Commissioner are
required to be appointed.

Admittedly, the decree is eviction decree against the
petitioner from the suit premises described in the plaint and for
execution of the decree, the Executing Court has the jurisdiction to
do all the needful for giving effect to the decree by delivering the
possession of the suit property only. If it is necessary for the
measurement or anything of the suit property, the Court can
appoint Pleader Commissioner also.

In such circumstances, I do not find that the order passed by the Court below suffers from any jurisdictional error or the order occasioned any failure of justice.

Thus, this writ application has got no merit and accordingly, it is dismissed.

(Mungeshwar Sahoo, J)

Saurabh/-

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