

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16399 of 2015

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Yashwant Singh

.... Petitioner/s

Versus

Shree Balwant Singh & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 21-06-2016

Heard the learned counsel for the petitioner.

Perused the order dated 30.07.2015 passed by Sub Judge

IV, Saharsa in Title Suit No.44 of 1996.

It appears that the defendant-petitioner's evidence was closed in the year 2007. Application was filed by the petitioner for recall which was also rejected. The petitioner never challenged the said earlier order. Subsequently, another application was rejected on 22.06.2015 which was also never challenged. The Court below by the impugned order considering all these facts held that the petitioner is filing these applications only to delay the disposal of the suit.

From perusal of the impugned order, it appears that since 2007, the case is running for argument of the case and on one ground or the other, the case is being adjourned.

In view of the conduct considered by the Court below, I

am not inclined to interfere with the impugned order in exercise of discretionary supervisory jurisdiction under Article 227 of the Constitution of India.

Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

Saurabh/-

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