

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22713 of 2013

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Mishree Mahto & Ors

.... Petitioner/s

Versus

Pramod Kumar & Anr

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 09-10-2017 Heard learned counsel Mr. Devendra Prasad Singh

for the petitioners.

This writ application under Article 227 of the Constitution of India has been filed for setting aside the order dated 02.09.2013 passed by the learned Subordinate Judge-II, Lakhisarai in Title Suit No.26 of 2011 whereby the learned Subordinate Judge has rejected the injunction application filed by the petitioners under Order 39 Rule 1 and 2 read with Section 151 of the Code of Civil Procedure.

The impugned order is appealable under Order 43 Rule 1 (r) of the Code of Civil Procedure. The petitioners instead of moving appropriate appellate authority have filed this writ application under the Constitution of India. Therefore, in my opinion, this writ application is not maintainable.

Accordingly, it is dismissed.

Harish/-

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(Mungeshwar Sahoo, J)

