

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4020 of 2014

In
MA 330 of 2013

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Sri Mundrika Prasad, Son of Late Munshi Prasad, Resident of Eastern Jaganpura, P.S. Ram Krishna Nagar, District Patna.

.... Petitioner/s

Versus

Smt. Anita Yadav, Wife of Vijay Kumar Yadav, Resident of Village Saidpur, P.S. Ekangar Sarai, District Nalanda. At present Resident of Patna Central School Road, Eastern Jaganpura, P.S. Ram Krishna Nagar, P.O. Khemnichak, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Devi Das Srivastava, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

4 06-07-2017

This is an application filed under Order 39 Rule 2A read with Section 151 of the Code of Civil Procedure.

The order was passed in the Miscellaneous Appeal which is said to be still pending. From the material available on record, it is seen that except for contending that on 15.09.2014, the respondents tried to disturb the applicant and violate the order of status quo for which the police complaint was filed, there is no other evidence to show as to how and in what manner, the order of the Court has been breeched. The grievance of the petitioner in the application seems to be that in spite of the complaint made, the police has not taken any action. Based on the allegation made in these proceedings under Order 39 Rule



2A of the CPC, I see no reason to make any indulgence into the matter. In case, the petitioner has any grievance, he is granted liberty to move an interlocutory application before the Court where the Miscellaneous Appeal is pending and it would be for the said Court to issue any direction with regard to grievance of the petitioner.

With the aforesaid liberty, finding no case to make any indulgence into the matter under Order 39 Rule 2A of the CPC, the application stands disposed of.

(Rajendra Menon, CJ)

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