

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1555 of 2016

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Smt. Nirmala Devi

.... Petitioner

Versus

Bhagwan Prasad & Ors

.... Respondents

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Appearance :

For the Petitioner : Mr. Apurva Kumar

For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 16-02-2017 Heard learned counsel Mr. Partha Sarthi for the petitioner.

Perused the impugned order dated 13.07.2016 passed by the learned Munsif, Danapur in Miscellaneous Case No.09 of 2014 whereby the learned Munsif has rejected the stay application filed by the petitioner in miscellaneous case praying for stay of further proceeding of Execution Case No.06 of 2008.

Admittedly the petitioner is *pendente lite* purchaser. Earlier stay application filed by the judgment-debtor had already been rejected by the executing court and refused to stay the further proceeding in execution case. Again this petitioner, who has filed this miscellaneous case under Order 21 Rule 97 and 47 of the Code of Civil Procedure, filed the same application praying for stay of further proceeding in execution case. The court below by the impugned order considered all these facts of the case and then



has passed the reasoned order. Therefore, no case for interference in supervisory jurisdiction is made out.

Accordingly, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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