

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1604 of 2016**

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Ram Nandan Prasad & Anr

.... Appellant/s

Versus

Surendra Prasad & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rabindra Prasad Singh

For the Respondent/s : Mr.

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

2 16-01-2017 Heard the learned counsel, Mr. Nawal Kishore Singh

for the petitioners.

This application has been filed under Article 227 of the
Constitution of India for a direction to the Court below to dispose
of petition dated 24.06.2015 filed in Title Suit No.201 of 2014.

The Hon'ble Supreme Court in the case of **Radhey
Shyam and Ors. vs. Chhabi Nath and Ors., (2015) 5 Supreme
Court Cases 423** has held that control of working of the
subordinate courts in dealing with their judicial order is exercised
by way of appellate or revisional power or power of
superintendence under Article 227. While appellate or revisional
jurisdiction is regulated by the statute, the power of
superintendence under Article 227 is constitutional.

In view of this decision of the Supreme Court, the
working of the subordinate courts in dealing with their judicial



order can only be examined under Article 227 of the Constitution of India in judicial side.

It is well settled principles of law that High Court also exercises supervisory jurisdiction in administrative side under Article 227 of the Constitution of India as has been held by the Supreme Court in **(2010) 8 Supreme Court Cases 329**.

In the present case, no order has been produced so that in judicial side the High Court cannot pass any such order blankly. If so advised, the petitioner may approach the court concerned for expeditious disposal of the case.

Accordingly, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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