

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.281 of 2016

1. Most Chamela Devi W/o Late Gopal Mistry.
2. Devendra Vishwakarma
3. Ravindra Kumar
4. Sunil Kumar

All are sons of Gopal Mistry, R/o Village-Awasthi Ghat Danapur, P.S. Danapur, District-Patna.

... .. Appellant/s

Versus

1. Satdev Singh
2. Bijendra Singh
3. Shankar Kumar

Sons of Late Ambika Singh, all are R/o Village-Gabhatal Gandhi Nagar, P.O. + P.S. Danapur, District-Patna.

4. Deepshree Property Pvt. Ltd. Parvati place ground floor Sidharth Nagar, Jagdeo Path, Patna, Registration no. U-70100NBR-2009 PTCO-1488, through it director Smt. Lalita Yadav W/o Sunil Kumar and Shree Hari Prasad S/o Late Amrit Prasad Yadav, R/o 501 Parwati place Sidharath Nagar, Jagdeo Path, P.S. Rupaspur, P.O. B.V. College, District-Patna.

5. Ajit Rai
6. Santosh Rai

Both are sons of Ram Chandra Rai, R/o Village-Sultanpur, P.O.+P.S. Danapur, District-Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. D.K. Sinha, Sr. Advocate Mr. Arvind Prasad Singh
For the Respondent/s	:	Mr. Vijay Kr. Prasad Mr. Hemant Kumar Mr. Vijay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

15 08-05-2018

Heard learned counsel for the appellants and learned counsel for the respondents on this miscellaneous appeal.

The plaintiffs-appellants have preferred this miscellaneous appeal against the Order dated 28.01.2016 passed



by learned Sub-Judge-IV, Danapur, Patna in Title Suit no. 367 of 2013, whereby the learned lower court rejected the injunction petition of the plaintiffs-appellants filed with the prayer to restrain the respondents from making any construction over the property in question during pendency of the suit.

During the course of argument, learned counsel for the respondents frankly submitted that the respondents are not going to raise any further construction over the property in question during pendency of the suit. However, they are entitled to reside in the said property as they have already constructed two rooms, bathroom and also stalled boring in it.

Learned counsel for the plaintiffs-appellants submitted that the plaintiffs-appellants are not going to create any interference in the peaceful possession of the respondents over the property in question.

Both parties submitted that they will extend all sorts of support in early disposal of the suit.

In the facts and circumstances and the aforesaid submission of the parties, this miscellaneous appeal is hereby disposed of.

However, learned lower court is directed to dispose of the case as expeditiously as possible preferably within three



months from the date of receipt/production of a copy of this order by taking it on day to day basis.

Both parties are expected to extend all sorts of cooperation in early disposal of the suit.

(Prakash Chandra Jaiswal, J)

rohit/-

U			
---	--	--	--

