

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1529 of 2016**

1. Anwarul Hussain
2. Taheera Anjum

... .. Appellant/s

Versus

Mamta Devi

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Md. Soban Asghar
For the Respondent/s : Mr. Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

4 04-12-2018 Heard both sides.

The petitioners have filed this petition against the order dated 09.07.2014 passed in Title Suit No. 27 of 2014 by which learned Munsif, Saran directed both the parties to maintain status quo with regard to the suit land during the pendency of the suit and against the order passed by learned Additional District Judge-IX, Saran in Misc. Appeal No. 33 of 2014 by which the appeal filed by the petitioners has been rejected.

The learned counsel for the petitioners submits that between the land of plaintiff and defendant there is land of Raj Kumari Devi and, therefore, the order maintaining status quo is bad but on perusal of the records, it appears that finding of the appellate court with regard to fact that the land of Rajkumari



Devi is situated in between the land of plaintiff and defendant was error of record and, accordingly, the learned Additional District Judge reviewed his own order and dismissed the appeal. Rajkumari Devi is mother-in-law of plaintiff, who handed over the possession of land to her daughter-in-law, who constructed house over the land.

Thus, I find no illegality or jurisdictional error in the impugned order. This Civil Misc. petition is dismissed as devoid of any merit.

(Prabhat Kumar Jha, J)

BKS/-

U			
---	--	--	--

