

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1414 of 2018**

Sarafat Hussain Son of Late Sohrab Ansari Resident of Ram Rekha Ghat,
Taraka Nala, P.O. - Buxar, P.S. - Buxar, District - Buxar (Bihar).

... .. Petitioner

Versus

1. The State of Bihar through the Collector, Buxar.
2. The Anchal Adhikari, Buxar, P.O., P.S. & District - Buxar (Bihar).
-Defendants-Appellants-Respondents 1st Set
3. Jai Ram Prasad Son of Late Sarju Choudhary
4. Md. Sharif Son of Late Rahimuddip
5. Parmanand Seth Son of Late Kedar Nath Seth
6. Ram Govind Seth Son of Ram Nath Seth
7. Harischand son of Jiut Sah
8. Nagendra Prasad son of Mati Lal
9. Bainath Prasad son of Late Rameshwar Prasad
10. Pradeep Kumar Chaudhary son of Naraimn Chaudhary
11. Laxman Verma son of Sita Ram Verma
12. Rajesh Kumar Gupta son of Late Sudarshan Gupta
13. Samfulla Devi wife of Haribansh Sah
14. Tauheed Ansari son of Naimullah Ansari
15. Naiz Ansari son of Late Mumtaz Ansari
16. Dawarika Giri Son of Late Sudarshan Giri
17. Md. Sharajuddin Son of Late Md. Bakrudan Respondent No. 3 to 17 are
resident of Ganga Deepak Bazar, Taraka Nala, Piparpati Road, Buxar, P.O.,
P.S. & District - Buxar (Bihar).

... .. Intervenor Applicants-Respondents 2nd Set

Appearance :

For the Appellant/s	:	Mr. Ashok Kumar
For the Respondent/s	:	Mr. Sajid Salim Khan -Sc25

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-10-2018 Heard the learned counsel for the petitioner.

By the impugned order dated 13.08.2018, the learned
Additional District Judge, F.T.C. 1st, Buxar dismissed the
petition of the petitioner filed under Order XXXIX Rule 1 & 2
of the CPC on the ground that the further proceeding in Title
Appeal No.55 of 2011 is stayed by the order of the Hon'ble



High Court passed in CWJC No.11443 of 2012.

It appears that since the further proceeding in Title Appeal No.55 of 2011 has been stayed by this Court, the learned Additional District Judge, F.T.C. 1st, Buxar has rightly rejected the petition of the petitioner. Accordingly, I do not find any error in the order impugned. The civil miscellaneous petition is dismissed.

(Prabhat Kumar Jha, J)

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