

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1526 of 2018**

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1. Sumitra Devi W/o Late Laxmi Sah
 2. Ranjan Sah @ Rajendra Prasad Gupta @ Rajan Sah, Son of Late Laxmi Sah
 3. Most. Asha Devi W/o Late Shambhu Sah
 4. Kailash Sah
 5. Satish Sah Both sons of Late Laxmi Sah
 6. Swarna Lata
 7. Reena Devi Both Daughters of Late Laxmi Sah, All Resident of Mohalla Mulchand Road Lane, Ward No. 4 (old) 6(new), P.S. Samastipur, P.O. Samastipur, District- Samastipur.

... .. Judgment Debtors/Petitioners

Versus

1. Dr. Gopal Prasad Gupta son of Late Babu Thakur Prasad
2. Prem Kumar Gupta
3. Ram Shankar Gupta
4. Kamal Kishore
5. Santosh Kumar All sons of Dr. Gopal Prasad Gupta
6. Sudha Kumari D/o Dr. Gopal Prasad Gupta
7. Monika Kumari
8. Khushboo Kumari
9. Nisha Kumari All daughters of Late Navita Devi
10. Aashutosh Kumar son of Late Navita Devi All Residents of under town Samastipur, Ward no. 4 (Old) 6 (New), Paragana- Saraisa, P.S.+ P.O.- Munsifi, District- Samastipur.

... .. Decree Holder/Respondents 2nd Set

Appearance :

For the Appellant/s : Mr. Braj Nandan Kumar Tiwary
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-11-2018 Heard the learned counsel for the petitioners.

The petitioners have filed this civil miscellaneous petition against the order dated 10.08.2018, passed by the learned Additional Munsif, Samastipur in Execution Case No.01 of 2016 by which the Nazir was directed to issue letter to the Magistrate and Police Force for fixing date of delivery of



possession of the suit premises.

The learned counsel for the petitioners submits that the delivery of possession of different land having different plot other than the plot number mentioned in the decree is to be delivered but I find no force in the submission of the learned counsel for the petitioners as the petitioners failed to show that different plot number is mentioned in the execution case for delivery of possession and the suit was not decreed with regard to the same.

Accordingly, the civil miscellaneous petition is dismissed.

(Prabhat Kumar Jha, J)

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