

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3133 of 2018

In

Civil Writ Jurisdiction Case No. 7474 of 2011

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Suresh Singh, aged about 73 years, son of late Ramayan Singh, resident of Village- Rampur- Ismile (Bahpura), P.S. Bihta, District Patna, presently residing at H.N. 44. Sri Krishna Nagar, Road No. 1, Patna.

.... Petitioner

Versus

1. Sri Dayanand Singh, husband of the Late Indrapari Devi, resident of Gorkhari, P.S. Bikram, District Patna.
2. Smt. Lalpari Devi @ Lalpari Rai, wife of Late Ramjee Rai, resident of Village- Kotwa- Narainpur, P.S.- Narhi, District- Balia (U.P.), presently residing at Mohalla- Sisodia, adjacent to the Gas Godown, near B.H.U., Varanasi (U.P.).
3. Sri Manish Kumar Pandey name of father not known to the petitioner, the Registrar, Civil Court, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the Respondent/s : Mr. Nagendra Rai, Advocate
Mr. Navin Nikunj, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 03-10-2018

The order dated 20.07.2018 passed by learned Sub-Judge – 2, Patna in Title Suit No. 202/1982 clearly states that the depositions have already been reconstructed on 26.05.2006 which are on water mark paper itself, so the order of the Patna High Court had already been complied with.

The order also states that there is no fresh requirement for obtaining the depositions of plaintiff's witness no. 1 to 26 on fresh water mark paper. Learned counsel for the petitioner has produced a copy of letter no. 11920 dated 10th August, 2018 issued under the signature of



Judge-in-Charge, Civil Court, Patna addressed to Sub-Judge – II, Patna in which it is stated that even the half parts of three pages of deposition of P.W.30 has been ordered to be reconstructed by the learned District & Sessions Judge, Patna. It appears that the order dated 28.04.2011 in CWJC No. 7474/2011 has been passed after allowing the petitioner of the said case to convert Civil Revision No. 1683/2006 in a Civil Writ Application. During pendency of the Civil Revision itself the depositions have been reconstructed.

In view of the categorical observation and finding of the learned Sub-Judge – II, Patna in the order, as contained in Annexure-7 to the present application, this contempt application cannot proceed. It is disposed off, accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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