

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.193 of 2017

Arising Out of PS. Case No.- Year- Thana- District-

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Rakesh Kumar son of Ramchandra Prasad, resident of Mohalla- Indrapuri,
Road No.1, P.S.- Patliputra, District- Patna-24.

... .. Petitioner

Versus

1. The State Of Bihar Through The Home Secretary, Govt. Of Bihar, Patna
2. The D.G. of Police, Bihar, Patna.
3. The I.G. of Police, Patna Zone, Patna.
4. The Senior S.P. Patna.
5. The Deputy Inspector, General of Police, Bihar, Patna.
6. The Deputy Superintendent of Police, Patna Sachiwalay, Patna.
7. Station House Officer, Patliputra, P.S.- Patna, District- Patna.
8. The Collector, Patna, District- Patna.
9. The Circle Officer, Patna Sadar, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh
For the Respondent/s : Mr.M. Nasrul Huda Khan

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 08-07-2019 This application has been filed by the petitioner for directing the respondents to act as per the order dated 03.07.2014 passed by the learned Sub-Judge-II, Patna in Title Suit No. 293 of 2001 whereby a direction was made to maintain status quo in respect of plot no. 1217 measuring 5 katha situated in Indrapuri Road No.1, Patna.

The application is totally misconceived. In the case of disobedience of any injunction granted or other order made under Order 39, Rule 1 and 2 or breach of any terms on which



the injunction was granted or the order made, the court granting the injunction or making the order, or any other court to which the suit or proceeding is transferred, may order the property of the person guilty of such disobedience or breach to be attached, and may also order such person to be detained in civil prison for a term not exceeding three months.

Since the remedy for any disobedience to the order of injunction passed under Order 39, Rule 2A of the Code of Civil Procedure, an application under Article 226 of the Constitution for the said purpose cannot be entertained.

The application is dismissed.

(Ashwani Kumar Singh, J)

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