

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.397 of 2019

Chandranan Thakur son of Late Kapileshwar Thakur resident of Village-
Mailam, P.S. Andhara Thadhi, District- Madhubani.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar.
2. The Collector, Madhubani District- Madhubani.
3. That Block Agriculture Officer, Andhara Thadhi District- Madhubani.
4. Dev Chandra Jha @ Bhola Jha son of Bhagat Jha resident of Village-
Mailam, P.S.- Andhara Thadhi, District- Madhubani.
5. Manoj Jha son of Dev Chandra @ Bhola Jha resident of Village- Mailam,
P.S.- Andhara Thadhi, District- Madhubani.
6. Uma Kant Jha son of Late Bilat Jha resident of Village- Mailam, P.S.-
Andhara Thadhi, District- Madhubani.
7. Purnima Devi W/o Late Uday Kant Jha resident of Village- Mailam, P.S.-
Andhara Thadhi, District- Madhubani.
8. Anjana Jha D/o Late Uday Kant Jha resident of Village- Mailam, P.S.-
Andhara Thadhi, District- Madhubani.
9. Raj Kumar Jha son of Late Uday Kant Jha resident of Village- Mailam, P.S.-
Andhara Thadhi, District- Madhubani.
10. Raushan Kumar Jha son of Late Uday Kant Jha resident of Village- Mailam,
P.S.- Andhara Thadhi, District- Madhubani.
11. Prity Kumari D/o Late Uday Kant Jha resident of Village- Mailam, P.S.-
Andhara Thadhi, District- Madhubani.
12. Chhoti Kumari D/o Late Uday Kant Jha resident of Village- Mailam, P.S.-
Andhara Thadhi, District- Madhubani.
13. Anil Kumar Jha son of Late Laxmikant Jha resident of Village- Mailam,
P.S.- Andhara Thadhi, District- Madhubani.
14. Amit Kumar Jha son of Late Laxmikant Jha resident of Village- Mailam,
P.S.- Andhara Thadhi, District- Madhubani.

... .. Respondents

Appearance :

For the Appellant/s : Mr.Subhash Kumar Jha
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-07-2019 This application under Article 227 of the Constitution
of India has been filed by the petitioner for issuance of a



direction to the respondents for giving physical possession of the land in question to the petitioner in terms of the judgment and decree dated 26.09.2013 passed in Title Suit No. 27 of 2005.

It would appear from Annexure-2 series that pursuant to the decree passed in Title Suit No. 27 of 2005, an execution case vide Title Execution Case No.1 of 2014 has been filed in the court of Munsif, Jhanjharpur, which is still pending.

Since the petitioner has already invoked the remedy available in law for execution of the decree, the instant application filed under Article 227 of the Constitution of India for execution of the decree is not only misconceived but an abuse of the process of the court.

The application is dismissed.

(Ashwani Kumar Singh, J)

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