

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.496 of 2019

Jai Murti Devi W/o Ram Uyas Yadav, Resident of Village-Rampur Nagwan,
P.S. - Paliganj, District – Patna.

... .. Petitioner.

Versus

1. The Estate of Ram Nagina Yadav resident of Village - Rampur Nagwan, P.S. - Paliganj, District - Patna
2. Kamaldeo Yadav Son of Nirmali Yadav resident of Village - Rampur Nagwan, P.S. - Paliganj, District - Patna
3. Ram Lakhan Yadav Son of Nirmali Yadav resident of Village - Rampur Nagwan, P.S. - Paliganj, District - Patna
4. Sharma Yadav Son of Nirmali Yadav resident of Village - Rampur Nagwan, P.S. - Paliganj, District - Patna
5. Haldhar Yadav Son of Nirmali Yadav resident of Village - Rampur Nagwan, P.S. - Paliganj, District - Patna
6. Kripal Yadav Son of Late Chandradeep Yadav resident of Village - Rampur Nagwan, P.S. - Paliganj, District - Patna
7. Laldeo Yadav son of Late Bishuni Yadav resident of Village - Rampur Nagwan, P.S. - Paliganj, District - Patna
8. Tapeswar Yadav @ Phudan Yadav son of Late Bishuni Yadav resident of Village - Rampur Nagwan, P.S. - Paliganj, District - Patna
9. Rashnan @ Rash Nandan Yadav son of Late Bishuni Yadav resident of Village - Rampur Nagwan, P.S. - Paliganj, District - Patna

... .. Respondents

Appearance :

For the Petitioner : Mr.Indu Bhushan Prasad, Advocate
For the Respondent : Mr.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 02-08-2019

This application under Article 227 of the Constitution of India has been filed by the petitioner for directing learned Additional District Judge-1, Danapur to dispose of the Testamentary Suit No. 20 of 2006 expeditiously.

2. It is submitted by the learned counsel for the petitioner that in the Testamentary Suit No. 20 of 2006, plaintiff's



evidence was closed on 26.05.2008 and the defendant's evidence was closed on 20.11.2008 but, since then, there is no progress in the suit. The court below is adjourning the case from one date to another without hearing the parties on merit.

3. It is not expected from the court to sit tight over the matter for over 10 years in delivering judgment in a case in which parties have already adduced their evidences.

4. Having regard to the nature of the relief sought for in the present application, instead of issuing notice to the opposite parties (defendants), I direct the learned 1st Additional District Judge, Danapur to look into the grievances of the petitioner and if the submissions of the petitioner are found correct on verification of the record take up the hearing of the Testamentary Suit No. 20 of 2016 on priority basis and dispose of the suit as early as possible, preferably within four months from the date of receipt/production of a copy of the order.

5. With the aforesaid observation and direction, this application is disposed of.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.08.2019
Transmission Date	NA

