

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.671 of 2019

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Shri Vinay Kumar Gupta son of Late Dharam Das Gupta, proprietor of M/s Alka Jewellers and Co, Laxmi Bhawan, Muradpur, Ashok Rajpath, P.S.- Pirbahore, District- Patna- 800004.

... .. Judgment debtor-Petitioner
Versus

Shri Pradeep Kumar Jain son of Late Basant Lal Jain, Resident of Mohalla- Muradpur, Ashok Raj Path, P.S.- Pirbahore, District- Patna- 800004.

... ..Decree holder- Opp. Party

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Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Sinha, Advocate
	:	Mr. Ajit Kumar Sinha, Advocate
For the Respondent/s	:	Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 10-05-2019 Learned counsel for the petitioner submitted that on receipt of notice of Execution Case no.136 of 2017, the petitioner appeared and filed objection under Order XXI, Rule 23 of the Code of Civil Procedure on 05.07.2018. He has also filed a miscellaneous case under Section 47 of the CPC with a prayer to dismiss the execution case. The said applications of the petitioner have been rejected by the Execution Munsif, Patna vide order dated 30.04.2019. Since the order dated 30.04.2019 was passed after filing of this application, the petitioner intends to challenge the said order dated 30.04.2019 by way of filing appropriate application. He contended that in view of the



subsequent development this application has become
infructuous.

In view of the submission made above, the application
is disposed of as infructuous. It is made clear that the petitioner
would be at liberty to challenge the aforesaid order dated
30.04.2019 in an appropriate proceeding in accordance with law.

(Ashwani Kumar Singh, J)

Md. S/-

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