

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12284 of 2019

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Rajiv Kumar Agrawal Son of Late Babu Arvind Kumar Agrawal R/o
Mohalla-Mungeriganj, P.S.-Begusarai Town, P.O. Anchal, Sub-Division, Sub-
Registry and District-Begusarai

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Prohibition,
Excise and Registration, Government of Bihar, Old Secretariat, Patna, Bihar
2. The Principal Secretary Department of Registration, Government of Bihar,
Old Secretariat, Patna, Bihar
3. The Excise Commissioner-cum-I.G. Registration, Govt. of Bihar, Old
Secretariat, Bihar, Patna
4. Assistant Inspector General of Registration Munger
5. The Collector-cum-Registrar Begusarai
6. The Sub-Registrar Begusarai
7. Sanjiv Kumar Agrawal S/o Late Arvind Kumar Agrawal R/o Village-
Mujeriganj, Ward No. 32, P.S. and District-Begusarai

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Ranjan
For the Respondent/s	:	Mr.Vivek Prasad (Gp7)
For Intervenor	:	Mr. Ranjan Kumar Dubey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-07-2019 This application has been filed seeking issuance of an order restraining the Sub-Registrar, Begusarai, from registering a sale deed, presented by the private respondent No.7, through Token No. 808, dated 06.02.2019, as according to the petitioner, there is an injunction order passed by this Court in M. A. No.16 of 1999, dated 23.02.1999, in respect of the same land, a copy of which has been brought on record by way of Annexure-2. The Misc. Appeal had arisen out of Title Suit



No. 188 of 1997, pending in the Court of Sub-Judge, Begusarai, against an order, whereby the petitioner's application for injunction was refused. The title suit is still pending. It is the case of the petitioner that the Court below, in the said title suit, is not considering the petitions filed by the petitioner alleging defiance of the order of this Court dated 23.02.1999 passed in M.A. No. 16 of 1999.

This writ application has been filed under Article 226 of the Constitution of India. In my view, the petitioner has remedy under the provisions of Civil Procedure Code, if any interim order of injunction is being violated by any of the parties to the suit or any other person. If the petitioner has any grievance in connection with the trial, which is pending before the Court below, the petitioner shall have liberty to take recourse to appropriate provision of law. This application under Article 226 of the Constitution of India cannot be maintained.

This writ application is dismissed.

I.A. No. 1 of 2019 stands disposed of.

(Chakradhari Sharan Singh, J)

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