

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 24117 of 2019

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Fateh Bahadur Singh, (Male), aged about 54 years, Son of Late Ishwari Prasad Singh, permanently resident of Village + P.O.+ P.S.- Bikramganj, District- Rohtas- 802212 and at present A- 47, Birla Colony, Phulwarisharif, Patna- 801505.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Law, Bihar, Patna.
2. The Principal Secretary, Department of Law, Bihar, Patna.
..... Official Respondents 1st Set
3. Sarjam Khan, aged about 60 years, Male Son of Late Nathbuni Khan, residing at Village, P.O. and P.S.- Bikramganj, District- Rohtas- 802212.
4. Nurjam Khan, aged about 56 years, Male Son of Late Nathbuni Khan residing at Village, P.O. and P.S.- Bikramganj, District- Rohtas- 802212.
5. Muni Khatoon, aged about 50 years, Female wife of Late Abdul Rahman residing at Village, P.O. and P.S.- Bikramganj, District- Rohtas- 802212.

... ..Plaintiff/s / Private Respondent/s 2nd Set

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Appearance :

For the Petitioner/s	:	Mr. Bimal Kumar Jha, Advocate
For the State	:	Mr. Rishi Raj Sinha, SC 19
		Mr. Akhilesh Kumar Sinha, AC to SC 19

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 05-12-2019

Heard learned counsel for the petitioner and learned AC
to SC 19 for the State.

2. The petitioner has moved the Court for the following
reliefs:-

*“(i) For issuance of a writ in the nature
of Mandamus thereby commanding, directing
ordering the Learned Sub Judge-II, Bikramganj,
Rohtas to conclude the Title Suit bearing TS No.*



404 of 2006 Sarjam Khan and Others Vs. Lallan Pratap Singh and Others within six months.

(ii) For issuance of an appropriate and necessary Writ, direction, order, so that above mentioned Title Suit be concluded within six months.

(iii) For any such other order/orders as Your Lordships may deem fit and proper in the facts and circumstances of the case.”

3. The opposite parties no. 3 and 4 had filed Title Suit No. 404 of 2006, before the Sub-Judge, Birkmanganj in the District of Rohtas, which is still pending. It was submitted that in the year 2006 itself the petitioner has filed his written statement, and despite pleadings being complete, the title suit in which the petitioner and his family members are defendants is still pending, which is unnecessarily causing prejudice to him. It was submitted that the Court below be directed to conclude the trial expeditiously.

4. In view of the nature of the grievance and the order which the Court proposes to pass, it is not deemed necessary to issue notice to the respondents no 3 to 5 as no prejudice is going to be caused to them. Further, as the suit has been filed by them, they cannot oppose expeditious disposal of the suit.

5. Learned counsel for the State also submitted that the Court below be given a direction to conclude the suit expeditiously.



6. Having regard to the aforesaid, the application stands disposed off with a direction to the Sub-Judge II, Bikramganj in the District of Rohtas to dispose off Title Suit No. 404 of 2006, if already not disposed off, expeditiously and latest within a period of nine months from the date of production of a copy of this order before him.

7. The Court would only indicate that as sufficiently long time has been granted to conclude the case, he is obliged to strictly ensure compliance within the said time period.

(Ahsanuddin Amanullah, J.)

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