

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1774 of 2019**

- =====
1. Dulari Devi Wife of Jawahar Singh, D/o late Parash Singh, Resident of Village- Semariya, P.S and P.S. Kochas, Distt. Rohtas, Sasaram.
 2. Rama Shankar Singh @ Rama Shankar Yadav, Son of late Ram Nagina Singh, Resident of Village- Semariya, P.S and Post- Kochas, Distt. Rohtas, Sasaram.

... .. Petitioners

Versus

1. Deo Muni Singh Son of late Kokahis Singh, (Yadav), Resident of Village- Semariya, P.S and Post. Kochas, Distt. Rohtas, Sasaram.
2. Ram Udhar Singh, Son of late Kokahis Singh (Yadav), Resident of Village- Semariya, P.S and Post. Kochas, Distt. Rohtas, Sasaram.
3. Mulegh Kumar, Son of Ramadhar Singh, Resident of Village- Semariya, P.S and Post. Kochas, Distt. Rohtas, Sasaram.
4. Raj Kumar Singh, Son of late Lalmuni Singh, Resident of Village- Semariya, P.S and Post. Kochas, Distt. Rohtas, Sasaram.
5. Chhedi Singh, son of late Manu Singh, Resident of Village- Semariya, P.S and Post. Kochas, Distt. Rohtas, Sasaram.
6. Laxman Singh, Son of Late Manu Singh, Resident of Village- Semariya, P.S and Post. Kochas, Distt. Rohtas, Sasaram.
7. Raj Keshwar Singh, Son of late Manu Singh, Resident of Village- Semariya, P.S and Post. Kochas, Distt. Rohtas, Sasaram.
8. Shri Leshwar Yadav, Son of late Manu Singh, Resident of Village- Semariya, P.S and Post. Kochas, Distt. Rohtas, Sasaram.
9. Jitendra Singh, Son of late Ram Bachhan Singh, Resident of Village- Semariya, P.S and Post. Kochas, Distt. Rohtas, Sasaram.

... .. Respondents

=====

Appearance :

For the Petitioner/s : Mr. Amresh, Advocate.

For the Respondent/s:

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 17-01-2020

The present applicant has been filed "*for setting aside the order dated 05.09.2019 passed by the learned Sub-Judge-XIII, Sasaram, Rohtas in Title Suit No. 220 of 2018.*"

2. Learned counsel for the defendants/petitioners submits that the learned Court below has erred in extending the



period of *status quo* beyond one year by a period of six months inasmuch as the said period of one year had been fixed for evidence which had already expired.

3. Having heard learned counsel for the defendants/petitioners and on consideration of the materials on record, this Court is not inclined to interfere in the matter. A perusal of the order dated 05.09.2019 discloses that the order of *status quo* had been passed for a period of one year within which evidences were required to be led by the parties. However, before expiry of the period of one year, the Court fell vacant by reason of transfer of the Presiding Officer as evident from the order dated 26.02.2019. In the interest of justice, therefore, the parties were directed to maintain *status quo* for a further period of six months.

4. This Court finds no illegality or infirmity in the impugned order. It is well settled that this Court does not sit in appeal over the impugned order while exercising jurisdiction under Article 227 of the Constitution of India, the scope whereof is primarily only to ensure that the learned Court below acts within the bounds of its authority. No jurisdictional error in the impugned order has been pointed out by learned counsel for the petitioner. The petition accordingly stands dismissed.

(Vikash Jain, J)

lbrar//-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21.01.2020
Transmission Date	N.A.

