

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1801 of 2019**

=====

Dig Vijay Sharma son of Sri Shambhu Saran Sharma, Treasury Guard
Irrigation Mechanical Sub Division, Siwan At present Muhalla- Nai Bazar
Siwan Prg. Bara, P.S.- Siwan Town, District- Siwan.

... .. Plaintiff/Appellant/Petitioner
Versus

1. The State of Bihar through the Collector of Siwan District, Siwan.
2. Sri Narbadeshwar Saran, Executive Engineer Irrigation Mechanical
Division, Muzaffarpur at present retired as Supt. Engineer Mechanical
Circle, Mithapur, Patna.
3. The Asst. Engineer, Irrigation Mechanical Sub - division, Siwan District-
Siwan.

... .. Defendants/Respondents

=====

Appearance :

For the Petitioners : Mr. Ranjeet Kumar, Advocate.
For the Respondents : Mr. Md. Khurshid Alam, AAG-12

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 20-01-2020

The present application has been filed “ *for a direction to the learned Executing Court, i.e., learned 1st Munsif, Siwan to dispose of the Execution Case No. 2 of 1994, which is pending for last 23 years.*”

2. Learned counsel for the plaintiff/appellant/petitioner submits that Title Appeal No. 31 of 1981/2 of 1992 and Money Appeal No. 3 of 1981/2 of 1989 were disposed of together by a common judgment dated 03.02.1993 and consequently the respective decrees were also prepared on 11.02.1993. In pursuance of the said decrees, Execution Case No. 2 of 1994 was commenced but even though the matter is being taken up before the Executing



Court from time to time, no substantial progress has been made and the plaintiff/appellant/petitioner has not been able to reap the fruit of the decrees even after lapse of about one and half decades.

3. Learned counsel for the defendants/respondents appears and has been heard.

4. Having heard the parties and on consideration of the materials on record, the petition is disposed of with the observation that the learned Court below may take note of the exigencies of the situation and take steps for expeditious disposal of the Execution Case No. 2 of 1994, and in any event preferably within six months hereof.

(Vikash Jain, J)

lbrar//-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	22.01.2020
Transmission Date	N.A.

