

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.25 of 2021

Life Insurance Corporation of India through Branch Manager, Branch Office,
Buxar through Branch Manager Office Branch, Buxar.

... .. Petitioner/s

Versus

1. Shankar Dutt Sharma Son of Late Bhagwan Sharma Resident of Mohalla-Solani Patti, Buxar, P.S.- Buxar, District- Buxar.
2. Ashok Kumar Sharma Son of Barmeshwar Nath Sharma Resident of Mohalla- Solani Patti, Buxar, P.S.- Buxar, District- Buxar.
3. Sumeshwar Sharma Son of Late Mathura Sharma Resident of Mohalla-Solani Patti, Buxar, P.S.- Buxar, District- Buxar.
4. Mahesh Dutt Sharma Son of Bhola Nath Sharma Resident of Mohalla-Solani Patti, Buxar, P.S.- Buxar, District- Buxar.
5. Sri Ram Laxman Janki Dieties through Mahanth Vankatachari- Chela of Sri Chaturbhuj Chari (deceased). Ahirauli Math, Village- Ahirauli, P.S.- Buxar, District- Buxar.
6. Mahanth Venkatachari- Chela of Sri Chaturbhuj Chari (deceased), Ahirauli Math, Village- Ahirauli, P.S.- Buxar, District- Buxar.
7. Bihar State Board of Religious Trust, Patna through its President, P.S. and District- Patna.
8. Smt. Sumayana Devi Wife of Bindhyachal Pathak Resident of Village- Jaso, P.S. and District- Buxar at present- Turha Toli, Buxar, P.S. and District- Buxar.
9. Nerendra Pathak Son of Bindhyachal Pathak Resident of Village- Jaso, P.S. and District- Buxar at present- Turha Toli, Buxar, P.S. and District- Buxar.
10. Vijay Pathak Son of Surajbansh Pathak Resident of Village- Jaso, P.S. and District- Buxar at present- Turha Toli, Buxar, P.S. and District- Buxar.
11. Sushil Pathak Son of Narayan Pathak Resident of Village- Jaso, P.S. and District- Buxar at present- Turha Toli, Buxar, P.S. and District- Buxar.
12. Ajay Pathak Son of Narayan Pathak Resident of Village- Jaso, P.S. and District- Buxar at present- Turha Toli, Buxar, P.S. and District- Buxar.
13. The Registrar, Civil Court, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Raj Dular Sah
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 17-11-2021

Heard learned counsel for the petitioner-Life

Insurance Corporation of India.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

Learned counsel for the petitioner has submitted that during the pendency of Title Appeal No.15 of 2013, the petition for interim injunction was filed under Order 39 Rule 1 but still it is pending. Learned counsel has further submitted that the respondents are trying to make construction over the disputed plot. As such, it has been prayed for to issue direction for expeditious disposal of the interim injunction petition filed before the lower Court.

The learned trial Court is directed to dispose of the petition filed on behalf of the appellant under Order 39 Rule 1 read with Section 151 CPC expeditiously and dispose it of. Till disposal of the petition, the parties are directed to maintain status quo over the disputed land.

With these observations this, Civil Misc. application is being disposed of. It is hereby made clear that the learned Court below shall pass order on the petition of Order 39 Rule 1 on its own merit, without being prejudiced by this order.

Office shall ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 2 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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