

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL MISCELLANEOUS JURISDICTION No.1042 of 2018**

=====

M/s Gopal Prasad Newatiya Through Its Owner Gopal Prasad Newatiya S/o Late Dwarika Prasad Newatiya, Resident of Village- Jamalpur Gogri P.S.- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Road Construction Department, Visheshwaraiya Bhavan, Baily Road, Patna, P.S. and Dis
3. The Abhiyanta Pramukh, Road Construction Department, Visheshwaraiya Bhavan, Baily Road, Patna, P.S.
4. The Chief Engineer, Road Construction Department, Darbhanga.
5. The Superintending Engineer, Road Construction Department, Saharsa, P.S. and District- Saharsa.
6. The Executive Engineer, Road Construction Department, Khagaria, P.S. and District- Khagaria.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Choudhary  
For the Respondent/s : Mr. Mahtab Alam, AC to SC 20

=====

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

4      31-08-2022                      Heard learned Counsel for the parties concerned.

The petitioner is aggrieved by the order, dated 16.04.2018, passed, in Money Suit No. 04 of 2007, by learned Sub Judge, Gogri, Khagaria, by which the written statement of the respondents-State has been accepted.

After some arguments, learned Counsel for the petitioner submits that he is not placing the challenge over the impugned order and submits that the money suit was filed in the year 2007 and three witnesses have already been examined and



cross-examined on behalf of the petitioner-plaintiff, including the petitioner-plaintiff. He further submits that the petitioner-plaintiff does not want to produce further witness in the suit. Accordingly, his submission is that the learned Trial Court may be directed to dispose the suit on its merit within a reasonable time frame.

Learned Counsel for the respondents-State submits that the witnesses on behalf of the respondents-State shall be produced and examined within a maximum period of six months from today.

In view of the submissions made above and taking into consideration the fact that the suit has been filed for money claim and is about fifteen years old, I direct the learned Trial Court to dispose the suit on its own merits within a maximum period of nine months from the date of receipt/production of a copy of this order.

With the aforesaid observation and direction, this application is disposed.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

|   |   |  |  |
|---|---|--|--|
| U | ✓ |  |  |
|---|---|--|--|

