

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.351 of 2020

1. Ravi Ranjan Construction Private Limited through its Managing Director Ravi Ranjan Prasad, aged about 65 years, Male, Son of Late Ram Nath Sahay, Resident of L.I.G.-31, Tempo Stand, Kankarbagh, P.O. and P.S.-Kankarbagh, District-Patna.
2. Ravi Ranjan Prasad, Son of Late Ram Nath Sahya, Resident of L.I.G.-31, Tempo Stand, Kankarbagh, P.O. and P.S.-Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

1. Ajay Nandan Sahay Son of Late Jagdish Nandan Sahay, Resident of Mohalla-Babu Bazar, Ara, P.O. Ara, P.S. Ara Nagar, District-Bhojpur.
2. Sanjay Nandan Sahay, Son of Late Jagdish Nandan Sahay, Resident of Mohalla-Babu Bazar, Ara, P.O. Ara, P.S. Ara Nagar, District-Bhojpur.
3. Dhananjay Nandan Sahay, Son of Late Jagdish Nandan Sahay, Resident of Mohalla-Babu Bazar, Ara, P.O. Ara, P.S. Ara Nagar, District-Bhojpur.
4. Mrityunjay Nandan Sahay, Son of Late Jagdish Nandan Sahay, Resident of Mohalla-Babu Bazar, Ara, P.O. Ara, P.S. Ara Nagar, District-Bhojpur.
5. Pushpa Srivastava, Wife of Arun Srivastava, Resident of R.D. Towers, Near S.B.I., Punaichak, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gaurav Govind, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2022 Heard Mr. Gaurav Govind, learned counsel for

the petitioners.

The petitioners are defendants in a suit filed by
the landlord i.e. Plaintiffs-Respondents.

Learned counsel for the petitioners submits that
the petitioners entered into a development agreement with
the Respondent landlord for construction of a multi storied



building upon the subject land. However, the landlord has filed a suit for cancellation of the development agreement dated 16.02.2017. In the said suit, petition under Order 39, Rule 1 and 2 read with Section 151 of Civil Procedure Code has been filed by the Respondents-Plaintiffs which was taken for hearing on 12.10.2018 and learned trial court granted *statu-quo* till the filing of the show cause by the petitioners/defendants.

Referring to Annexure-4, learned counsel submits that the show cause has already been filed by the petitioners on a petition under Order 39 Rule 1 and 2 CPC on 5.1.2019. Since then, more than three years have passed, but final order on the injunction petition filed by the Plaintiffs-Respondents has not yet been passed. Accordingly, submission is that a direction may be issued to the learned court below to dispose the petition filed by the Plaintiffs-Respondents under Order 39 Rule 1 and 2 CPC as early as possible.

Regards being had to the aforesaid submission and the fact that the injunction petition is pending for more than three years, I direct the learned trial court to dispose the



injunction petition in accordance with law on its own merit
within a period of three months from the date of
receipt/production of a copy of this order.

Accordingly, this application stands allowed.

(Anil Kumar Sinha, J)

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