

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1555 of 2018

Urmila Devi, Wife of Dayanand Tiwari, Resident of Village- Dewaria, P.S.-
Kochas, District- Rohtas.

... .. Petitioner/s

Versus

1. Birendra Singh, Son of Ram Niwas Singh, Resident of Village- Dewaria, P.S.- Kochas, District- Rohtas.
2. Bhuneshwar Singh, Son of Ram Niwas Singh, Resident of Village- Dewaria, P.S.- Kochas, District- Rohtas.
3. Sheo Narayan Singh, Son of Milan Singh, Resident of Village- Dewaria, P.S.- Kochas, District- Rohtas.
4. Shukul Singh, Son of Milan Singh, Resident of Village- Dewaria, P.S.- Kochas, District- Rohtas.
5. Kamala Kant Tiwari, Son of Late Ram Diksh Tiwari, Resident of Village- Dewaria, P.S.- Kochas, District- Rohtas.
6. Nirmal Kunwar, Wife of Late Anil Tiwari, Resident of Village- Dewaria, P.S.- Kochas, District- Rohtas.
7. Sonu Devi, Wife of Sri Amresh Upadhya, D/o Late Anil Tiwari, Resident of Village- Dhorhi, P.S.- Sonhan, District- Kaimur.
8. Rani Devi, Wife of Sri Kamdeo Mishra, Resident of Village- Bharkhar, P.S.- Mohania, District- Kaimur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-10-2022 Heard Mr. Biadyanath Prasad, learned counsel for
the petitioner.

Petitioner is aggrieved by the order dated 8.6.2018
passed by the learned A.C.J.M.-cum-Sub-Judge XIII, Rohtas at
Sasaram, in Title Suit No. 806 of 2016, by which the request of
the petitioner before the learned Trial Court for deployment of
Police force and for implementation of the status-quo order



granted by the learned Trial Court has been rejected.

An injunction petition was filed by the petitioner/plaintiff. The learned Trial Court by order dated 18.10.2017 directed both the parties to maintain status-quo till the disposal of the suit.

Learned counsel for the petitioner submits that the defendants/respondents violated the order of the status-quo granted by the learned Trial Court dated 18.10.2017 and the respondents have forcibly harvested the paddy crop from the suit land and have also started construction of a boundary wall. In this background the petitioner/plaintiff filed a petition under Section 151 of the Civil Procedure Code for deployment of Police force for implementation of the status-quo order granted by the order dated 18.10.2017. He further submits that by the impugned order dated 8.6.2018 the prayer of the petitioner for deployment of Police force has been rejected and aggrieved by the same, the petitioner has preferred this petition.

After perusal of the impugned order it appears that the learned court below has come to the conclusion that there is no need to pass an order for deployment of Police Force in favour of the plaintiff.

In my opinion, if one of the parties has disobeyed the



order of the status-quo granted by the learned court below, the petitioner has remedy under Order XXXIX Rule 2(A) of the Civil Procedure Code and the party who has violated the status-quo order, may face the consequence of disobedience of the order or breach of injunction.

Accordingly, I do not find any infirmity in the impugned order.

This application stands dismissed.

(Anil Kumar Sinha, J)

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