

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.96 of 2015

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Shri Narmdeshwar Prasad Singh S/O Late kapildeo Prasad Singh resident of
village- Chochahi, P.O.- Chochahi, P.S.- Paroo, District- Muzaffarpur.

... .. Appellant/s

Versus

1. Shri Awadhesh Kumar and Ors S/O Pradyumna Kumar 2. Shri Suresh
Kumar S/O Pradyumna Kumar 3. Shri Namesh Kumar S/O Pradyumna
Kumar all resident of village Dargahpur Sabil, P.O.- Nawada, P.S.-
Bachhawara, District- Begusarai. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjan Kumar Dubey, Advocate

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-06-2022 The instant appeal has been filed under Order 43 Rule

1(r) of the Code of Civil Procedure challenging the order dated
29.1.2015 passed in T.S no. 127 of 2012 by the learned Sub-
Judge II, Muzaffarpur whereby the prayer of the plaintiff-
appellant under Order XXXIX Rule 1 and 2 read with section
151 of the Code of Civil Procedure was rejected.

In brief it is submitted by learned counsel for the
plaintiff-appellant that an injunction petition was filed in the
learned trial Court stating therein about the serious apprehension
of the plaintiff that the defendants were going to dispose of the
suit property by selling the same. The petition was rejected by
the order impugned in the instant appeal, however subsequent
thereto the suit property has in fact been sold to third party. It is
fairly submitted that in view of the subsequent developments,



nothing remains so far as the instant appeal is concerned.

In view of the facts stated hereinabove, the instant appeal is disposed off as not pressed.

The instant suit being of the year 2012 (Title Suit no. 127 of 2012), the learned trial Court is directed to expedite the disposal of the title suit and endeavour to dispose of the same at the earliest preferably within a period of two years from the date of communication of this order.

(Partha Sarthy, J)

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