

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.499 of 2021

1. Vinod Kumar Son of Late Kamta Prasad Resident of Village and P.O.- Muriar, P.S.- Dehri, District- Rohtas.
2. Vijay Kumar Son of Late Kamta Prasad Resident of Village and P.O.- Muriar, P.S.- Dehri, District- Rohtas.
3. Manoj Kumar Son of Late Kamta Prasad Resident of Village and P.O.- Muriar, P.S.- Dehri, District- Rohtas.
4. Saroj Kumar Son of Late Kamta Prasad Resident of Village and P.O.- Muriar, P.S.- Dehri, District- Rohtas.

... .. Petitioners

Versus

Dr. Ashok Kumar Son of Late Dr. Ram Chandra Prasad Resident of Village and P.O.- Muriar, P.S.- Dehri, District- Rohtas at present residing at New Area, Dehri, P.O.- Dalmiyanagar, District- Rohtas.

... .. Respondent

Appearance :

For the Petitioner/s : Mr.Akhouri Vipin Bihari Shrivastava
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 24-02-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Learned counsel for the petitioner has filed the present petition with a prayer to stay the execution proceeding going on in the court below as Execution Case No. 04 of 2014 in pursuance of the judgment and decree passed in Eviction Suit No. 02 of 1994.

Learned counsel for the petitioner has submitted that he has already preferred Title Appeal No. 86 of 2014 which is



pending in the court of 7th Additional District Judge, Rohtas at Sasaram. He has submitted that the further proceeding in the title appeal has been stayed by this court in CWJC No. 10890 of 2015 vide order dated 08.03.2016 (Annexure-3).

The petitioner may raise his points before appropriate forum.

This civil miscellaneous is not maintainable. Accordingly, it is dismissed.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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