

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.851 of 2018

- 1.1. Mala Devi widow of Late Arun Sah resident of Mohalla- Ram Chowk, near Maharaji Pool, P.S.- Town, District- Darbhanga.
- 1.2. Vikash Sah son of Late Arun Sah resident of Mohalla- Ram Chowk, near Maharaji Pool, P.S.- Town, District- Darbhanga.
- 1.3. Vivek Sah son of Late Arun Sah resident of Mohalla- Ram Chowk, near Maharaji Pool, P.S.- Town, District- Darbhanga.
- 1.4. Jyoti Devi daughter of Late Arun Sah and wife of Shri Sanjay Sah, resident of Mohalla- Pani Tanki, Patna City, District- Patna.
2. Jiwan Shah, son of Late Chiranjiwi Shah, resident of Village- Bhandari Chauk, Purani Bazar, P.S.- Jhanjharpur, District- Madhubani.
3. Smt. Sulochana Devi, W/o Shri Sudish Shah and D/o Late Chiranjiwi Shah, resident of Village- Bhandari Chauk, Purani Bazar, P.S.- Jhanjharpur, District- Madhubani.
4. Smt. Bharati Devi, W/o Shri Mohan Shah, Son of Kali Shah, D/o Late Chiranjiwi Shah, Resident of Mohalla- Bhauwara near Mahabir Mandir, Machharatta Chauk, P.S.- Madhubani Town, District- Madhubani.

... .. Petitioner/s

Versus

Kesharv Prasad Agrawal Son of Late Braj Mohan Agrawal, resident of Mohalla- Ram Chauk, P.S.- Town, District- Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shyam Sunder Pandey
For the Respondent/s	:	Mr.Baidyanath Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

10 22-11-2022 Mr. Shyam Sunder Pandey, learned counsel for the petitioners at the outset submits that the petitioners are the judgment debtors in a suit for eviction in which decree was passed in the year 2011. He next submits that without prejudice to the rights and contention in Title Suit No. 33 of 2014 filed by the petitioners-judgment debtors, the petitioners undertake to vacate the suit premises within a period of six months positively.



Mr. Baidyanath Thakur, learned counsel appearing for the decree holder has got no objection to the undertaking given by the petitioners-judgment debtors.

In view of clear cut undertaking given by the petitioners, the learned Executing Munsif -I, Darbhanga in Eviction Execution Case No. 11 of 2011 is directed not to take any steps for eviction of the petitioners by the process of law for a period of six months from today. However, if the premises is not vacated as per the undertaking given by the petitioners, appropriate action shall be taken against the petitioners in accordance with law and the learned Executing Court i.e. Munsif -I, Darbhanga will immediately issue D.P. for taking possession from the petitioners along with cost.

With the aforesaid observation and direction, the application stands disposed of.

(Anil Kumar Sinha, J)

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