

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.82 of 2023

Md. Mumtaj Alam Son of Md. Sajjad Alam, Resident of Mohall - Bari Khajarpur, P.S. - Bhagalpur, District- Bhagalpur, At present address - Road no 1 Rajiv Nagar, Kesheri Nagar, P.S.- Rajiv Nagar, District - Patna, Carrying business in Shop no. 7 on Ground Floor of Tapasia Complex, Boring Road, Patna.

... .. Petitioner/s

Versus

1. Smt. Rita Roy Wife of Late Ram Bilash Roy, Resident of Tapashya Complex, Boring Road, S.K. Puri, P.S. - S.K. Puri, District - Patna.
2. Rohit Roy, Son of Late Ram Bilash Roy, Resident of Tapashya Complex, Boring Road, S.K. Puri, P.S. - S.K. Puri, District - Patna.
3. Mamta Roy, Daughter of Late Ram Bilash Roy, Resident of Tapashya Complex, Boring Road, S.K. Puri, P.S. - S.K. Puri, District - Patna.
4. Shalini Roy, daughter of Late Ram Bilash Roy, Resident of Tapashya Complex, Boring Road, S.K. Puri, P.S. - S.K. Puri, District - Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate
For the Respondent/s : Mr. Md. Waliur Rahman, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-10-2023 Heard the parties.

2. The present application has been filed for setting aside the order dated 19.10.2022 passed by the Munsif-III, Patna Sadar, Patna in Eviction Suit No. 456 of 2014 by which the learned Munisf has dismissed the application of the defendant-petitioner.

3. I have considered the submissions of learned counsel for the parties and also perused the materials available on record including the impugned order. I do not find any



infirmity or illegality in the impugned order which warrants interference of this Court.

4. Accordingly, this application is dismissed.

5. The Court below is directed to hear the Eviction Suit No. 546 of 2014 on day to day basis and dispose of the same within a period of three months from the date of receipt/production of a copy of this order and shall not grant unnecessary adjournments to either of the parties and will proceed ex-parte against the non co-operating party.

6. With the aforesaid observations and directions, this application is disposed of.

7. Let a copy of this order be communicated to the District Judge, Patna Sadar, Patna for its compliance through FAX or e-mail forthwith.

(Sandeep Kumar, J)

P. Kumar

