

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.737 of 2023

1. Shankar Rai Son of Late Kitab Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
2. Mainwa Kuer, Wife of Late Kitab Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
3. Suresh Rai, Son of Late Kitab Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
4. Yadav Rai @ Ramesh Kumar Rai, Son of Late Kitab Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
5. Umesh Rai @ Umesh Kumar Son of Late Kitab Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
6. Ajit Kumar Rai, Son of Late Kitab Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
7. Binay Kumar Rai, Son of Late Kitab Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
8. Dharmendra Kumar @ Dharmendra Rai, Son of Late Kitab Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
9. Amarjeet Kumar, Son of Late Kitab Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

1. Kamakhya Narayan Rai Son of Late Ramdeo Rai, Resident of Village- Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District- Saran at Chapra (Bihar).
2. Shivnath Rai, Son of Late Bujhi Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
3. Dipa Rai, Son of Late Sadhu Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
4. Hem Babu Rai, Son of Late Sadhu Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).
5. Harendra Rai, Son of Sadhu Sharan Rai, Resident of Village - Tahal Tola, Pirari, P.O. - Jilkabad, P.S. - Garkha, District - Saran at Chapra (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy



For the Respondent/s : Mr.Raj Narayan Mishra
Mr.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 06-10-2023 Learned counsel for the petitioners submits that the present application has become infructuous as the petitioner has filed a Miscellaneous Case No. 96 of 2023 which is pending in the Court of Munsif-IV, Saran at Chapra.

2. Learned counsel for the petitioners prays that direction may be issued to dispose of the aforementioned miscellaneous case within a reasonable time.

3. In view of the aforesaid submission, this application is disposed of with a direction to the Munsif, Saran at Chapra to dispose of the miscellaneous case within a period of six months from the date of receipt/production of a copy of this order.

4. The Court below is directed to conclude the proceedings of the miscellaneous case within six months by holding day-to-day hearing without giving unnecessary adjournment to any of the parties. The Court below is further directed to proceed *ex parte* against the non-cooperating party and submit a compliance report to this Court.

5. Let a copy of the order be communicated to the learned District Judge, Saran at Chapra through FAX/e-mail



forthwith for compliance of the order.

(Sandeep Kumar, J)

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