

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CIVIL MISCELLANEOUS JURISDICTION No.909 of 2023**

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1. Aashif Hussain Son of Md. Zahid Hussain Resident of Proprietor of Bihar Timber Situate at Dr. Rajendra Prasad Road Near Khalifabagh Chowk, P.S.-Kutwali, District-Bhagalpur.
  2. Amir Hussain Son of Late Aarif Hussain Resident of Proprietor of Bihar Timber Situate at Dr. Rajendra Prasad Road Near Khalifabagh Chowk, P.S.-Kutwali, District-Bhagalpur.
  3. Md. Kazim Hussain Son of Late Aarif Hussain Resident of Proprietor of Bihar Timber Situate at Dr. Rajendra Prasad Road Near Khalifabagh Chowk, P.S.-Kutwali, District-Bhagalpur.

... .. Petitioner/s

Versus

1. Sri Ajay Kumar Saha Son of Late Kaushal Kishore Saha Resident of Mohalla-Dr. Rajendra Prasad Road, KhalifabaghChoeck, P.S.-Kutwali, District-Bhagalpur.
2. Sri Pankaj Kumar Saha Son of Late kaushal Kishore Saha Resident of Mohalla-Dr. Rajendra Prasad Road, KhalifabaghChoeck, P.S.-Kutwali, District-Bhagalpur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Md. Najmul Hodda, Advocate  
For the Respondent/s :

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
ORAL ORDER

2      12-10-2023                      Heard learned counsel for the petitioners.

2. This application has been filed for quashing of the order dated 27.07.2023 passed by learned Munsif II, Bhagalpur in Title Execution Case No. 23 of 2019 by which learned Munsif has rejecting the application of the petitioners.

3. In an eviction suit of 2011, the plaintiffs-landlord succeeded and the civil revision of the tenant has been dismissed. Now, the application has been filed by the tenant resisting the execution of the decree. The tenant has applied all



means to delay the execution of the decree after loosing till this Court.

4. These kinds of petition should be thrown right on the date of filing and the learned Munsif has rightly rejected the application of the tenant.

5. This Court directs the Munsif II, Bhagalpur to execute the decree in Title Execution Case No. 23 of 2019 within seven days of receipt/communication of a copy of this order and file a compliance report to this Court.

6. With the aforesaid observation and direction, this application is disposed of.

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

**(Sandeep Kumar, J)**

Harsh/

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