

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.897 of 2017

Reeta Devi Wife of Shri Dinesh Sah Resident of Village- Ghataro Tonk
Kanchanpur Dhanshi, P.O.- Ghataro, P.S.- Kartahan, District- Vaishali.

... .. Petitioner/s

Versus

1. Urmila Devi and Anr Wife of Shiv Shankar Sah Resident of Village- Ghataro Tola Ramnagar, P.O.- Ghataro, P.S.- Kartahan, District- Vaishali.
2. Arun Kumar Singh Son of Rajeshwar Singh Resident of Village- Ghataro Tola Ramnagar, P.O.- Ghataro, P.S.- Kartahan, District- Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 02-05-2024 There appears some typographical error in the order dated 15.04.2024, as in second last line of first paragraph of the said order, it has been typed as ‘same be caused prejudice’ instead of ‘same may cause prejudice’.

02. Accordingly, the order dated 15.04.2024 is modified to the extent that in second last line of first paragraph of the said order, it will be read as ‘same may cause prejudice’ instead of ‘same be caused prejudice’.

03. Admittedly, Title Suit No. 459 of 2013 has been disposed of and the order which has been impugned before this Court has been passed in the said title suit on 30.01.2017. Learned counsel for the petitioner submits that the petitioner has filed Title Appeal No. 14 of 2022 against the judgment and



decree dated 18.06.2022 passed in Title Suit No. 459 of 2013.

04. Since an interlocutory order passed in Title Suit No. 459 of 2013 has been challenged before this Court and the said title suit has been disposed of, the present civil misc. petition has become infructuous. However, learned counsel for the petitioner submits that if no opinion is expressed by this Court regarding the impugned order, the same may cause prejudice to the petitioner in the title appeal.

05. As the matter has become infructuous, I do not think this civil misc. petition could be allowed to proceed any further. However, the petitioner is at liberty to raise all the issues before the learned appellate court in Title Appeal No. 14 of 2022.

06. With the aforesaid observation, the present civil misc. petition stands disposed of.

(Arun Kumar Jha, J)

Ashish/-

U			
---	--	--	--

