

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.182 of 2022

Deepak Kumar, son of Late Jagdish Prasad Sah, resident of Village Bisia, P.S. Tarapur, P.O. Manikpura, Via Tarapur, District Munger.

... .. Petitioner/s

Versus

1. Rajendra Prasad Sah, son of Sardhari Sah, resident of Village Bisia, P.S. Tarapur, P.O. Manikpura, Via Tarapur, District Munger. At present resides at Mohalla Naya Bazar, Sansar Pokhar, Pachna Road, P.O. P.S. and District Lakhisarai.
2. Smt. Sabitri Devi, Wife of Rajendra Prasad Sah, resident of Village Bisia, P.S. Tarapur, P.O. Manikpura, Via Tarapur, District Munger. At present resides at Mohalla Naya Bazar, Sansar Pokhar, Pachna Road, P.O. P.S. and District Lakhisarai.
3. Santosh Panjiyara, son of Late Ram Kishun @ Kishun Panjiyara, resident of Village Hasanganj, P.O. Miranhat, P.S. Kotwali, District Bhagalpur, at present Mohalla Naya Bazar, P.O., P.S. and District Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Vinay Prasad Singh @ Sanjay, Advocate.
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 02-01-2024 Learned counsel for the petitioner has filed hard copy of the petition. Let it be kept on record.

2. Learned counsel for the petitioner submits that the petitioner has filed the present petition for limited purpose that a direction may be issued to the learned Sub Judge- 2nd, Lakhisarai, who is in seisin of Title Execution Case No. 01 of 2009 for executing the decree dated 06.08.1993 passed in Title Suit No. 87 of 1981 which has been affirmed by the appellate court as well as Hon'ble Apex Court in favour of the



plaintiff/petitioner.

3. Since the petitioner has come before this Court only for a direction to the learned executing court to execute the decree dated 06.08.1993 passed in Title Suit No. 87 of 1981, I do not think any purpose would be served in serving the notice upon the respondents since no party could get affected by quick disposal of the pending matter before the learned court below. Further the matter is quite old and is of year 2009 and more than 14 years have since elapsed.

4. Considering all the facts and circumstances and the prayer of the petitioner, learned Sub Judge- 2nd, Lakhisarai is directed to take immediate steps for disposal of Title Execution Case No. 01 of 2009 within six months from the date of receipt/production of a copy of this order.

5. With the aforesaid observation and direction, the present petition stands disposed of.

6. Let a copy of this order be also transmitted to the learned District Judge, Lakhisarai to ensure compliance of this order.

(Arun Kumar Jha, J)

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