

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1150 of 2021

In
Civil Writ Jurisdiction Case No.15297 of 2008

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Sri Satyanarayan Sahay Son of Late Chaturbhuj Sahay, Resident of Village-
South Behat Tola-Pathrahi, Pargana-Mokarampur, Post Office-Jhanjharpur,
Police Station-Jhanjharpur and District-Madhubani, Pin-847403

... .. Petitioner/s

Versus

1. The State of Bihar through the Legal Remembrance, Bihar.
2. Sri Ram Chander Rai Son of Late Sarjug Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
3. Sri Bindeshwar Rai Son of Late Sarjug Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
4. Sri Satan Rai Son of Late Sarjug Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
5. Sri Ramashish Rai Son of Late Laleswar Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
6. Ramanand Rai Son of Late Nageswar Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
7. Shivanand Rai Son of Late Nageswar Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
8. Sajni Devi Daughter of Late Nageswar Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
9. Daughter of Late Nageswar Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
10. Indu Devi Daughter of Late Nageswar Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
11. Nisha Devi Daughter of Late Nageswar Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
12. Sagri Devi Daughter of Late Nageswar Rai Resident of Village- South Behat Tola-Pathrahi, Post Office-Jhanjharpur, Police Station-Madhepur and District-Madhubani,
13. Sri Satyendra Sahay, Son of Late Rameswar Sahay Residents of Bank Colony, Krishna Bihari Path Gola Road, Via Bailey Road, Danapur Post Office and Police Station-Danapur and District-Patna, Pin Code-801503.



14. Sri Jitendra Sahay Son of Late Rameshwar Sahay Residents of Bank Colony, Krishna Bihari Path Gola Road, Via Bailey Road, Danapur Post Office and Police Station-Danapur and District-Patna, Pin Code-801503.
15. Sri Shivendra Sahay, Son of Late Rameshwar Sahay Residents of Bank Colony, Krishna Bihari Path Gola Road, Via Bailey Road, Danapur Post Office and Police Station-Danapur and District-Patna, Pin Code-801503.
16. Sri Devendra Sahay not Known Resident of Patel Nagar, Near Lalji Market, Shastri Nagar, District-Patna.
17. Pushpa Devi Wife of Late Rajeev Sahay @ Ranjan Sahay, Resident of Patel Nagar, Near Lalji Market, Shastri Nagar, District-Patna.
18. Sri Amrendra Sahay Son of Late Gupteshwar Sahay, Resident of Daldali Road, Danapur, Post Office and Police Station-Danapur and District-Patna Pin Code-801503.
19. Dipendra Kumar Son of Sri Raj Narayan Lal Resident of Patel Nagar, Near Lalji Market, Shastri Nagar, District-Patna.
20. Bipin Kumar Son of Sri Raj Narayan Lal Resident of Patel Nagar, Near Lalji Market, Shastri Nagar, District-Patna.
21. Asha Prasad Daughter of Sri Raj Narayan Lal Resident of Patel Nagar, Near Lalji Market, Shastri Nagar, District-Patna.
22. Sri Rajendra Sahay Son of Late Bindeshwar Sahay Resident of Village-South Behat Tola-Pathrahi, Pargana-Mokarampur, Post office-Jhanjharpur, Police-Station-Jhanjharpur and District-Madhubani, Pin-847403,
23. Sri Anil Sahay Son of Late Bindeshwar Sahay Resident of Village-South Behat Tola-Pathrahi, Pargana-Mokarampur, Post Office-Jhanjharpur, Police Station-Jhanjharpur and District-Madhubani Pin-847403.
24. Kumud Sinha Wife of Sri Arun Kumar Sinha, Daughter of Lakshmi Devi, Resident of Mohalla-Patel Nagar, Near Lalji Market, Police Station Shastri Nagar, Town and District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.
For the Opposite Party/s : Mr.Sri Lalit Kishore (AG)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 06-09-2024 1. The present petition has been filed seeking the following relief(s):-

“1. That the present application is being preferred on behalf of the petitioner for initiating a proceeding of contempt of Court against the opposite parties for their intentional and deliberate



violation of the order dated 29.08.2019, passed in C.W.J.C. No.15297 of 2008, by Hon'ble Mr. Justice Mohit Kumar Shah."

2. Perused the report sent by the Ld. Civil Judge (Senior Division)-I, Civil Court, Jhanjharpur dated 20.08.2024, wherein it has been stated that the Miscellaneous Case No.28 of 1993/8 of 1993, has been revived and the Ld. Trial Court is taking all possible steps to ensure appearance of the parties as also the case would be concluded, expeditiously.

3. At this juncture, the learned senior counsel for the petitioner submits that there is scant progress in the ongoing trial, hence the Ld. Trial Court be directed to expedite the proceedings of the aforesaid case.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Ld. Trial Court to expedite the proceedings of the aforesaid Miscellaneous Case No.28 of 1993/8 of 1993 and in case the parties do not appear, it shall be free to proceed ex-parte.

5. Accordingly, the present petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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