

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.314 of 2024

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Banshi Sah son of Late Ram Lagan Sah, resident of Mohalla-Shivganj, Ward No. -07, Narkatiyaganj Town, P.S.-Shikarpur, District-West Champaran, PIN Code-845455.

... .. Petitioner/s

Versus

1. Hari Sharma son of Radheshyam Sharma, resident of Narkatiyaganj Town, Ward No. 16, Near Dharmshala, Post-Narkatiyaganj, P.S.-Shikarpur, District-West Champaran, PIN Code-845455.
2. Dinesh Chandra Srivastava, Son of Sukhdeo Prasad Srivastava, resident of Narkatiyaganj Town, Ward No. 16, Near Dharmshala, Post-Narkatiyaganj, P.S.-Shikarpur, District-West Champaran, PIN Code-845455.
3. Ramesh Chandra Prasad Srivastava, son of Sukhdeo Prasad Srivastava, resident of Narkatiyaganj Town, Ward No. 16, Near Dharmshala, Post-Narkatiyaganj, P.S.-Shikarpur, District-West Champaran, PIN Code-845455.
4. Faiyaz Alam Ansari, son of Late Reyazul Haque Ansari, resident of Narkatiyaganj Town, Ward No. 16, Near Dharmshala, Post-Narkatiyaganj, P.S.-Shikarpur, District-West Champaran, PIN Code-845455.
5. Govind Prasad Gupta son of Prithbichandra Gupta, resident of Narkatiyaganj Town, Ward No. 16, Near Dharmshala, Post-Narkatiyaganj, P.S.-Shikarpur, District-West Champaran, PIN Code-845455.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mauli Chaurasia, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-05-2024 The matter has been taken up on mentioning being made on behalf of the petitioner.

2. Heard learned counsel for the petitioner.

3. The instant petition has been filed under Article 227 of the Constitution of India for issuance of an appropriate direction to the court of learned Sub-Judge, 1st,



Narkatiyaganj, West Champaran to hear and dispose of the petition dated 30.06.2022 filed on behalf of defendant no. 1/ respondent no. 1 under Order 7 Rule 11(B) of the Code of Civil Procedure in Title Suit No. 96 of 2018 and also to dispose of the title suit within specified period.

4. Learned counsel for the petitioner submits that after filing of the petition by defendant no.1/respondent no. 1 on 30.06.2022, the plaintiff/petitioner filed rejoinder on 16.11.2022 and the matter was heard on several dates and lastly the petition dated 30.06.2022 was heard on 22.11.2023 but even then no orders have been passed till date. Learned counsel further submits that the title suit is in the nature of title eviction suit filed against the defendants-respondents and prays for early disposal of Title Suit No. 96 of 2018.

5. Since the petitioner has come before this Court for early disposal of petition dated 30.06.2022 filed in Title Suit No. 96 of 2018 and also for early disposal of the title suit, I find that there is no need to issue notice to the respondents.

6. As the petitioner has approached this Court seeking early disposal of petition dated 30.06.2022 and the learned trial court also heard the matter and fixed for orders as it appears from the order sheet of the learned trial court, the learned Sub-



Judge, 1st, Narkatiyaganj, West Champaran is directed to take further steps for disposal of petition dated 30.06.2022 filed on behalf of defendant no.1/respondent no. 1 within a month from the date of receipt/production of a copy of this order. After disposal of the petition, the learned trial court is directed to submit a report to this Court.

7. At the same time, learned Sub-Judge, 1st, Narkatiyaganj, West Champaran is further directed to take up the matter in all earnest and try to dispose of Title Suit No. 96 of 2018 within a period of six months, if the disposal of petition dated 30.06.2022 has no effect on continuation of the title suit, without granting unnecessary adjournments to the parties, who are directed to fully co-operate in disposal of the case.

8. With the aforesaid directions, the present petition stands disposed of.

(Arun Kumar Jha, J)

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