

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1506 of 2024

1. Md Qusimuddin Son of Late Nehaluddin Resident of Nohsa P.O. and P.S.- Phulwarishrif, District - Patna.
2. Wasimuddin Son of Late Nehaluddin Resident of Nohsa P.O. and P.S.- Phulwarishrif, District - Patna.

... .. Petitioner/s

Versus

1. Md Sayad Siddiquee S/O Rafique Resident of Pirbahor P.O Bankipur, P.S.- Pirbahor, District- Patna.
2. Raj Kumar Singh Son of Ramkhelwan Singh Resident of Village- Bahadurpur, P.O- and P.S. Phulwarisharif, District- Patna
3. Dev Kumar Singh Son of Ramkhelwan Singh, Resident of Village- Bahadurpur, P.O- and P.S. Phulwarisharif, District- Patna
4. Dharmendra Kumar Singh Son of Ramkhelwan Singh Resident of Village- Bahadurpur, P.O- and P.S. Phulwarisharif, District- Patna
5. Premchand Son of Ramkhelwan Singh Resident of Village- Bahadurpur, P.O- and P.S. Phulwarisharif, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 22-08-2024 Nobody appears on behalf of the petitioner.

2. On 27.06.2024, also there was no appearance.

3. The office pointed out following defect(s) :

*“Defect No. 123 dated 05.05.2024 kept at flag
“A” pointed out by Stamp Reporter regarding
maintainability may kindly be perused.*

*Stamp reporter has reported that instant MJC
(Transfer) petition has been filed U/s 24 of the C.P.C.
against order dated 06.12.2023 passed by learned
District Judge, Patna in Misc. (Transfer) Case No. 95 of*



2023 (filed for transfer of Title Partition Suit No. 631/2010) whereby the learned Court below has disposed of the said order Transfer Petition finally on merit dismissed the same.

The petitioner has already availed of remedy U/s 24 of the C.P.C.

As such, against such an impugned order dated 06.12.2023, proper remedy seems to lie by way of filing a Civil Revision Petition U/s 115 of the C.P.C. in view of order dated 11.02.2014 passed in Civil Revision No. 18 of 2014 by this Hon’ble Court.”

4. It seems that the petitioner has lost his interest in prosecuting the petition.

5. Accordingly, this petition is dismissed for non-prosecution.

(Rajiv Roy, J)

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