

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18277 of 2014

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1. Radhika Kuer wife of Late Rameshwar Nath Pandey
 2. Vijay Pandey @ Vijay Kumar Pandey
 3. Sri Niwas Pandey
 4. Ram Niwas Pandey
All sons of Late Rameshwar Nath Pandey
All residents of village - Kharoj Kala, Police Station - Dawath, District
Rohtas at Sasaram

... .. Petitioners

Versus

1. Shanti Kuer wife of late Jai Kuer
2. Gautam Kumar Pandey
3. Hari Bhusan Pandey
4. Rabindra Pandey
5. Santosh Pandey Nos. 2 to 5 are sons of late Dharam Raj Pandey
All residents of Village - Kharoj Kala, Police Station - Dawath, District -
Rohtas
6. Sharda Devi wife of Shambhu Kumar Residents of village - Khocharia
Dhansoi, District - Buxar
7. Dulhin Lakhmuna Devi wife of Shri Brij Nath Ram resident of village -
Mukharawan, Police Station Ramgarh, District - Kaimur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gopal Swaroop Dubey, Adv.
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

8 29-08-2024 The present writ petition has been filed seeking
following relief:-

“1.(i)For issuance of an appropriate writ/order/direction, including a writ in the nature of certiorari for setting aside the judgment dated 30.06.2014 and decree dated 15.07.2014, passed in Misc. Appeal No. 67 of 1991(Computer Reg. No. 294 of 2013)



by the Adhoc Additional District Judge IV, Rohtas at Sasaram, whereby and whereunder the learned Adhoc Additional District Judge IV, Rohtas at Sasaram upheld the judgment dated 21.2.1990 passed by the learned Subordinate Judge IV, Rohtas at Sasaram.

(ii) For issuance of an appropriate writ/order/direction, including a writ in the nature of certiorari, for setting aside the judgment dated 21.12.1990, passed in Arbitration Suit No. 279 of 1983 by the learned Subordinate Judge IV, whereby the learned Subordinate Judge IV dismissed the suit”

2. At the outset, the learned counsel for the petitioners submits that the petitioners wish to avail such remedies, as have been provided for under Section 39(2) of the Arbitration and Conciliation Act, 1940, which is *pari materia* to Section 37(2) of the Arbitration and Conciliation Act, 1996, hence the present writ petition be disposed off.

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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