

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40194 of 2023

Arising Out of PS. Case No.-7082 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

=====

ABHILASHA SINHA, D/o Late Surendra Kumar Sinha, W/o Dr. Narayan Kishor Resident of 20, Adarsh Colony, Kidwaipuri, P.S. - Kotwali, Patna, Bihar, at present residing at Flat no. 96 A, EIL NTPC, Anukampa Apartment, Abhay Khand IV, Indirapuram, Abhay Khand Police Chauki, P.S. - Indirapuram, Ghaziabad, Uttar Pradesh Pin Code - 201014

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abhishek sinha Son of Late Surendra Kumar Sinha Resident of 20, Adarsh Colony, Kidwaipuri, P.s. - Kotwali, Patna, Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, App, 156

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 06-08-2024 Heard the learned counsel for the petitioner and the learned APP for the State. None appears for the opposite party no.2.

2. The petitioner is aggrieved by the order by which the Magistrate has dismissed her compliant and the order dated 03.08.2022 passed by the Divisional Court affirming the order of the Magistrate by which the complaint petition was dismissed. The petitioner is the sister and the opposite party no.2 is her brother. The dispute between the parties has arisen after the death of their father. It is alleged that the opposite party no.2 has withdrawn an amount of Rs. 2 lac from the bank after



death of the father and he has also captured some other property.

3. I do not find any illegality in the impugned order.
Accordingly, this application is dismissed.

4. However, in the facts of the case and in the interest of justice, it is directed that the Sub Judge-VIII, Civil Court, Patna will dispose of the Partition Suit No. 169 of 2021 within one year of the communication of this order.

5. The Sub Judge will not grant unnecessary adjournment to either side and will proceed ex-parte against the non-cooperative party. The non-disposal of the Civil Partition Suit within a year will be considered seriously.

6. Let a copy of this order be communicated to the learned District Judge, Patna through fax/e-mail.

(Sandeep Kumar, J)

lata/-

U		T	
---	--	---	--

