

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVISION No.29 of 2022

- 1.1. Pankaj Kumar son of Late Sitaramsingh and Shakuntala Devi, resident of Village Gabhtal, Akhara Road, Danapur, P.S. Danapur, District-Patna.
- 1.2. Niraj Kumar, son of Late Sitaramsingh and Shakuntala Devi, resident of Village Gabhtal, Akhara Road, Danapur, P.S. Danapur, District-Patna.
- 1.3. Warij Kumar, son of Late Sitaramsingh and Shakuntala Devi, resident of Village Gabhtal, Akhara Road, Danapur, P.S. Danapur, District-Patna.
- 1.4. Raka Devi, W/o Sanjay Kumar, daughter of Late Sitaramsingh and Shakuntala Devi, resident of 28/A, Nav Vikash Colony, Ashiyana Nagar, Patna.
- 1.5. Rajni Devi, W/o Nagendra Prasad, daughter of Late Sitaramsingh and Shakuntala Devi, resident of Durga Mata Mandir, RakhaMaiens, Tata (Jharkhand).
- 1.6. Rachana Devi, W/o Bikash Kumar, daughter of Late Sitaramsingh and Shakuntala Devi, Bank Colony, Ramchandarpur, Bihar sharif, P.s.-Ramchanderpur, District-Nalanda.

... .. Petitioner/s

Versus

1. Sona Devi Wife of Late Ram Nath Mehta, resident of Mohalla-Makhania Kuan, Patna, Post Office-Bankipore, Police Station-Pirbahore, District-Patna.
2. Shri Basudeo Prasad @ Munna Mahto son of Late RamLagan Mahto @ Late Chinta Devi, resident of Mohalla-Akhara Road, Gabhtal, Danapur, Post Office-Digha, Police Station-Danapur, District-Patna
3. Smt. Rita Devi wife of Bharat Prasad Mandal and daughter of Late RamLagan Mahto and Late Chinta Devi c/o Shri Basudeo Prasad @ Munna Mahto Resident of Mohalla- Akhara Road, Gabhtal, Danapur, Post office-Digha, Police Station- Danapur, District-Patna-800012.
4. Smt. Munni Devi @ Archana Devi, Wife of Shri Ashok Prasad @ Mehata and d/o Late RamLagan Mahto and Late Chinta Devi, Resident of Village-Dhawalpura, Police Station-Begumpur, Patna-800009.

... .. Opposite Party /s

Appearance :

For the Petitioner/s :	None
For the Opposite Party/s :	Mr. J.S. Arora, Sr. Advocate Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

20 29-10-2024 Nobody appears on behalf of the petitioners.

2. Mr. J.S. Arora, learned senior counsel is present on
behalf of opposite party.

3. This Civil revision application has been filed



against the order dated 30.05.2022 passed by the learned Sub Judge II, Patna in Execution Case No. 01 of 2015 with 02 of 2015 (arising out of T.P.S. No. 73 of 1974) whereby the learned Sub Judge has rejected the petition dated 15.01.2021 filed by the petitioner under Section 47 and under Order 21, Rule 26 to 29 read with Section 151 of the Code of Civil Procedure.

4. Learned counsel for the opposite party at the very outset submitted that this Civil Revision application has become infructuous in view of the fact that delivery of possession has already been affected on 17.11.2022.

5. In this regard, this court has called for a report from the concerned court *vide* order dated 23.11.2023 about the status of delivery of possession in Execution Case No. 01 of 2015 with 02 of 2015 (arising out of T.P.S. No. 73 of 1974).

6. The court concerned has submitted his report *vide* letter no. 281 dated 01.12.2023 stating therein that the delivery of possession has been issued and it has been executed on 17.11.2022 in Execution Case No. 01 of 2015 with 02 of 2015 (arising out of T.P.S. No. 73 of 1974).

7. Considering the aforesaid facts as well as averments made by the opposite party, this Civil Revision application has become infructuous.



8. Accordingly, it is dismissed having become
infructuous.

(Khatim Reza, J)

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