

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.480 of 2021

1. Usha Kumari @ Usha Devi D/o Late Ram Sagar Chourasia, Wife of Ram Krishna Nandan Resident of Mohalla- Shastri Nagar, P.S. K. Hat, District- Purnia.
2. Rajeshwar Modi Son of Late Sarwajeet Modi Resident of Village Laukahi, P.S. Barhara Kothi, District- Purnia, At present residing at Village- Shekhpura, Chaman, P.S. Uda Kishanganj, District- Madhepura.
3. Manoj Kumar Son of Sri Rajeshwar Modi Resident of Village Laukahi, P.S. Barhara Kothi, District- Purnia, At present residing at Village- Shekhpura, Chaman, P.S. Uda Kishanganj, District- Madhepura.
4. Indira Devi Wife of Late Damodar Mandal @ Damodar Chaurasia Resident of Village- Deogachhi, P.O. and P.S. Kasba, District- Purnia.

... .. Petitioner/s

Versus

Yugal Kishore Chourasia Son of Late Ram Sagar Chourasia Resident of Village- Shekhpura, Chaman, P.S. Uda Kishanganj, District- Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bijendra Kumar Singh, Advocate
For the Respondent/s	:	Mr. Jitendra Kishore Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 01-07-2024 Heard learned counsel appearing for the petitioners
and the learned counsel for the respondent.

02. The instant petition has been filed for quashing the order dated 23.01.2020 passed in Misc. Civil Appeal No. 050 of 2018, by learned Additional District and Sessions Judge, VI, Madhepura and order dated 12.02.2018 passed in Misc. Case No. 20 of 2016 by learned Sub-Judge 1, Madhepura whereby and whereunder the petitioners have been restrained from alienating the suit property.

02. After making some arguments for some time learned counsel for the petitioners submits that he confines his prayer to the extent that the learned trial court in seisin the matter of Misc. Case No. 20 of 2016 be directed to dispose of the same in a stipulated period since the miscellaneous case has been pending since 2016 and the restraining order has been passed in the aforesaid miscellaneous case and its validity could be only till the pendency of the miscellaneous case.

03. Learned counsel appearing on behalf of the respondent has no objection to the prayer.

04. In view of the aforesaid facts and circumstances and submission made on behalf of the parties learned trial court is directed to dispose of the Misc. Case No. 20 of 2016 within three months from the date of receipt of copy of the order

05. With the aforesaid direction, the present petition is disposed of.

(Arun Kumar Jha, J)

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