

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.720 of 2022**

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Jeevan Sharma Son of Late Shyam Sundar Sharma Resident of 337 Chuna Kankar, Hati Darwaja, Mathura, Police Station and District-Mathura at Present resident of Shaheed Road, Gaya, Police Station Kotwali, District Gaya.

... .. Petitioner/s

Versus

1. Sri Ramjee Prasad Bhup Son of Late Ban Bihari Prasad Bhup, Resident of Durga Kothi, P.s.-Muffasil, District-Gaya.
2. Sri Lakshman Prasad Bhup Son of Late Ban Bihari Prasad Bhup Resident of Durga Kothi, P.s.-Muffasil, District-Gaya.
3. Harendra Kumar Singh Son of Late Ram Pravesh Singh Resident of Gore, Police Station-Muffasil District-Gaya at Present residing at Mohalla Janakpur, Mahddipur Kothi, P.O.-Manpur, Buniyadganj, Police Station Muffasil, District-Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Dharendra Pratap Singh, Advocate
For the Respondent/s	:	Mr. Avinash Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 20-08-2024 Heard learned counsels for the parties.

2. The instance petition has been filed under Article 227 of the Constitution of India against the order dated 13.09.2022 passed by learned Sub Judge-XI, Gaya in Title Suit No. 749/16/131/20, whereby and whereunder the learned Sub Judge has partially rejected the petition dated 05.09.2022 filed by the petitioner for marking exhibit a document, an agreement to sale, containing signature of the witness, Madan Prasad.

3. The learned Trial Court marked the signature of the witness exhibit with objection but did not mark the whole



document as an exhibit.

4. Learned counsel appearing on behalf of the respondents submits that the present petition has been filed by the petitioner only to delay the disposal of Title Suit No. 749/16/131/20 as in Miscellaneous Appeal No. 245 of 2018, the learned Trial Court was directed to expedite and conclude the trial within one year from the date of receipt/production of the copy of the order dated 06.08.2019. The said order was challenged before the Hon'ble Supreme Court in Special Leave Petition (Civil) No. 7169 of 2020 and the same was dismissed vide an order dated 08.02.2021 without issuance of notice. Learned counsel further submits that the present respondents are already litigating before the learned Trial Court for eight years and the respondents want early disposal of the Title Suit and for the sole reason, the respondents record their no objection to marking the document exhibit but with the objection of the respondents and at the same time, the learned Trial Court should be directed to dispose of the matter as expeditiously as possible considering the directions of the learned Single Judge in Miscellaneous Appeal No. 245 of 2018.

5. Without further going into the merits of the case, the learned Trial Court is directed to mark the document as



exhibit with objection of the respondent/defendant no. 3 and proceed with the matter for disposal of the same preferably within next six months from the date of receipt/production of the copy of this order.

6. With the aforesaid direction, the present petition stands disposed of.

(Arun Kumar Jha, J)

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