

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1105 of 2023**

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Prem Ram @ Prem Kumar, Son of Late Chunni Ram, R/o Mohalla - Chhotki
Delha, Tekari Road, P.S. - Delha, District - Gaya.

... .. Petitioner/s

Versus

Hari Om Prasad, Son of Nand Lal Verma, R/o Mohalla - Mandraj Bigha, P.S.
- Delha, District - Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rameshwar Singh, Advocate
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT**

Date : 30-07-2024

Heard learned counsel for the petitioner.

2. The instant petition has been filed under Article 227 of the Constitution of India seeking direction to the court of learned Munsif-1, Gaya to dispose of Eviction Suit No. 12/2022 filed by the petitioner as early as possible.

3. At the very outset, learned counsel for the petitioner submits that the despite best efforts of the petitioner/plaintiff, the defendant did not appear and the matter proceeded *ex-parte* and three witnesses of the plaintiff/petitioner have been examined. Thereafter, the defendant appeared and moved an application for setting aside the *ex-parte* proceeding which was allowed. However, the defendant is not interested in disposal of the case and the son of defendant is



a practicing lawyer in Civil Court, Gaya,, who is delaying the matter and not allowing the eviction suit to be disposed of.

4. Since, it is the matter seeking direction to the learned trial court for expeditious disposal of eviction suit, I do not think there is any need to issue notice to the respondent.

5. Considering the facts and circumstances and submissions made on behalf of the petitioner, the learned Munsif-1, Gaya is directed to expedite the proceeding of Eviction Suit No.12 of 2022 and try to conclude the same on its merits and in accordance with law at the earliest and preferably within a period of nine months from the date of receipt/production of a copy of this order, without adjourning the matter unnecessarily.

6. The parties are also directed to cooperate in the matter for its early disposal without seeking unnecessary adjournment.

7. With the aforementioned observations and directions, the instant petition stands disposed of.

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.07.2024
Transmission Date	NA

