

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1211 of 2024

Smt Dharmi Devi W/o Late Rambabu Mahto R/o Mohalla Durja
Pahalwanghat, P.S. Budha Colony, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Dept of Law, Bihar, Patna.
2. The Registrar, Patna Civil Court, Patna Sadar, Patna.
3. Ramnath Mahto S/o Late Shyam Mahto R/o Mohalla Durja Pahalwanghat P.S. Buddha Colony Dist.-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Parth Gaurav, Advocate
For the State	:	Mr. K.K. Singh, A.C. GP-22
For Respondent No. 3	:	Mr. Sanjeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-11-2024 The record has been taken up on mentioning being made on behalf of the petitioner.

2. Heard learned counsel for the petitioner.

3. The petitioner has approached this Court seeking direction to the court of learned Civil Judge (Senior Division)-VIII, Patna to expedite Execution Case No. 346 of 2017.

4. Learned counsel for the petitioner submits that the execution case has been filed for recovery of amount of Rs.26,000/- with interest and since 2017 the matter has been pending though a number of adjournments have been granted by the learned executing court but no progress has been made and



despite the fact that the decree-holder has already furnished the details of the property of judgment-debtor to be attached. Learned counsel has referred a decision of Hon'ble Supreme Court in the case of ***Rahul S. Shah Vs. Jinendra Kumar Gandhi and Others***, reported in ***(2021) 6 SCC 418***, wherein the Hon'ble Supreme Court has issued certain guidelines for executing court to adhere to and has also directed that the executing proceeding must be concluded within six months. Thus, learned counsel submits that the learned executing court may be directed to hear the matter without giving unnecessary adjournments and dispose of the case as early as possible.

5. Since the petitioner has come before this Court with limited prayer for expeditious disposal of the execution case which is pending since 2017, I do not think there is any need to issue notice to the private respondent. State is already represented before this Court.

6. Having regard to the facts and circumstances, learned Civil Judge (Senior Division)-VIII, Patna is directed to take up Execution Case No. 346 of 2017 in all earnest and try to dispose of it at the earliest, keeping in back of mind the guidelines issued by the Hon'ble Supreme Court in the case of ***Rahul S. Shah*** (supra) and send a report to this Court.



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

(Arun Kumar Jha, J)

DKS/-

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