

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1228 of 2023

1. Smt. Krishna Devi Wife of Ram Padarth Shah Residence of Village- Malkuniya, P.O- Pachpakadi, P.S.- Dakha, District- East Champaran.
2. Smt. Girja Devi, Wife of Jagdish Shah Residence of Village- Malkuniya, P.O- Pachpakadi, P.S.- Dakha, District- East Champaran.

... .. Petitioner/s

Versus

1. Smt. Rita Devi Wife of Awadh Kishore Mishra Residence of Village- Malkuniya, P.O- Pachpakadi, P.S.- Dakha, O.P.- Pachpakadi, District- East Champaran.
2. Awadh Kishore Mishra, Son of Late Shivchandra Mishra Residence of Village- Malkuniya, P.O- Pachpakadi, P.S.- Dakha, O.P.- Pachpakadi, District- East Champaran.
3. Musmat Girja Misharain, Wife of Late Devchandra Mishra Residence of Village- Malkuniya, P.O- Pachpakadi, P.S.- Dakha, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajiv Ranjan Kr. Pandey, Advocate
For the Respondent/s	:	Mr. Rakesh Kumar No.1, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-07-2024 After some arguments learned counsel for the petitioner submits that he does not want to press his relief and limits his prayer to direction to the learned 1st Appellate Court for disposal of Title Appeal No. 11 of 2022 within a stipulated time period and till the disposal of the appeal the execution proceeding before the learned Sub Judge, Sikharna, Motihari be stayed.

2. Perusal of impugned orders shows the petitioners who are appellants before the learned 1st Appellate Court have challenged the order dated 29.08.2023 passed by the learned 1st

Appellate Court of Additional District Judge-12, East Champaran in Title Appeal No. 11 of 2022. However, observations of learned 1st Appellate Court are that the appellants are not interested in disposal of the appeal rather they are more interested in stopping the execution proceeding.

3. In the light of the submission made before the Court by the learned counsel for the petitioner, since the learned counsel for the petitioner has confined his prayer to early disposal of the title appeal, the learned 1st Appellate Court is directed to dispose of the appeal at the earliest and preferably within two months from the date of receipt/production of copy of this order without granting unnecessary adjournments to either of the parties.

4. Till the time of disposal of the appeal/ two months from today, whichever is earlier, the execution proceeding before the learned Sub Judge, Sikharna, Motihari in Execution Case No. 01 of 2022 shall remain stayed.

5. With the aforesaid directions, the present case stands disposed of.

(Arun Kumar Jha, J)

anuradha/-

U			
---	--	--	--

