

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.27 of 2023

In

Miscellaneous Jurisdiction Case No.572 of 2012

Ashok Bihari Sharan S/o Late Sita Bar Sharan, Resident Of Mohalla Sheikhpura, P.S. Hawaiadda, Town And District Patna, Presently Resident At Bailey Kunj Apartment, Muzargali Sheikhpura, P.S. Hawai Adda, Town And Distt. Patna.

... .. Appellant/s

Versus

1. Mr. Deepak Kumar M.D. Classicon (I) S/o Sri Shiv Shankar Sinha, Resident of Keshri Nagar, P.O. Keshri Nagar, P.S. Rajiv Nagar, Distt. Patna.
2. Dr. Lokesh Son of not known, Resident of Flat No. 601 Block-A, S.B. Residency Sheikhpura, P.S. Hawai Adda, Distt. Patna- 800014
3. Mrs. Aparajita Rai W/o rajak Sinha, Resident of Village EH-4/302, UTOPIA Ltd. ECO, Sector 3A, Noida Uttar Pradesh 201304 Now present residence is flat no. 904 B, S.B. Residency, Sheikhpura, P.S. Hawai Adda, Distt. Patna-800014
4. Mr. Jan Manjay Rai Son of Chandra Mohan Rai, Resident of Village EH-4/302, UTOPIA Ltd. ECO, Sector 3A, Noida Uttar Pradesh 201304 Now present residence is flat no. 904 B, S.B. Residency, Sheikhpura, P.S. Hawai Adda, Distt. Patna-800014
5. The Patna Municipa Corporation through Municipal Commissioner, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Nandlal Kumar Singh, Adv.
For the PMC	:	Mr.Prasoon Sinha, Sr. Advocate
		Mr. Prabhat Kumar, Adv.
For Pvt. Respondent	:	Mr. Manoj Kumar Ambastha, Adv.
		Mr. Praveen Kumar, Adv.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

9 09-10-2025 Heard the parties.

2. The present LPA is arising out of order dated 30.11.2022 passed in MJC No.572 of 2012. Appellant, Ashok Bihari Sharan had a benefit of interim order in Test Suit No.3 of



2009 from 30.09.2011 to 05.10.2012, whereas First respondent, Deepak Kumar is stated to have proceeded in selling certain property on 17.01.2013. If these three dates are taken into consideration First respondent has not committed any contempt, so as to violate the interim order granted on 30.09.2011. For the reasons that interim order dated 30.09.2011 was vacated on 05.10.2012, accordingly, the appellant has not made out a case so as to interfere with the order of the learned Single Judge dated 30.11.2022 passed in MJC No.572 of 2012. Hence, present LPA stands dismissed. All pending IAs, if any stands disposed of.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

Prakash Narayan

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