

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.424 of 2025

1. Neeraj Kumar Son of Late Vishwanath Sahay, Resident of Mohalla-Pushpanjali, West Boring Road, Hari Lal Sweets, Post and Police Station-Shastrinagar, District- Patna.
2. Dr. Manoj Kumar Son of Late Vishwanth Sahay, Resident of Mohalla-Pushpanjali, West Boring Road, Hari Lal Sweets, Post and Police Station-Shastrinagar, District- Patna. Presently residence at Po.wa 20130 K-5, Lumbaway Centre, Park Land Kitway, Jambiya, Country-Africa. Through Power of attorney Neeraj Kumar, aged about-72 years, Gender-male, son of late Vishwanth Sahay, resident of Mohalla- Pushpanjali, West Boring Road, Hari Lal Sweets, Post and Police Station- Shastrinagar, District- Patna.

... .. Petitioner/s

Versus

Anup Kumar Son of Late Vishwanath Sahay, Resident of Mohalla-Pushpanjali, West Boring Road, Harilal Sweets, Post and Police Station-Shastrinagar, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2025 Record taken up on mentioning being made on behalf of the petitioners.

2. The petitioners have approached this Court seeking direction to learned Sub Judge-XIV, Patna to dispose of the petition dated 02.09.2023 filed by the petitioners under Order 40 Rule 1 read with Section 151 of the Code of Civil Procedure in Title Partition Suit No. 342 of 2022, within a stipulated time period.

3. Learned counsel for the petitioners submits that the learned trial court has not been taking any interest in disposal of



the petition pending before it for more than one and half years and has been adjourning it without any reason. Learned counsel further submits that the respondent has appeared before the learned trial court and has filed written statement as well as rejoinder to the petition dated 02.09.2023.

4. Since the petitioners have approached this Court with limited prayer seeking direction to the learned trial court to dispose of the petition dated 02.09.2023 filed under Order 40 Rule 1 read with Section 151 of the Code of Civil Procedure, I do not think there is any need to issue notice to the respondent.

5. Having regard to the facts and circumstances of the case, learned Sub Judge-XIV, Patna is directed to take up the petition which has been pending since 02.09.2023 before it for disposal and dispose it of at the earliest preferably within a month from the date of receipt/production of a copy of this order.

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

(Arun Kumar Jha, J)

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