

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23450 of 2013

Vijay Shankar Tiwary Son Of Late Shivdutta Tiwary Resident Of Village -
Ashok Pakri, Tiwary Tola, P.O. - Ashok Pakri , P.S. Pipra, District - East
Champaran

... .. Petitioner/s

Versus

1. Prabhakar Tiwary, Son Of Late Ramdeo Tiwary Resident Of Village - Ashok
Pakri, Tiwary Tola, P.O. - Ashok Pakri , P.S. Pipra, District - East
Champaran
2. Sudhakar Tiwary Son Of Late Ramdeo Tiwary Resident Of Village - Ashok
Pakri, Tiwary Tola, P.O. - Ashok Pakri , P.S. Pipra, District - East
Champaran
3. Ratnakar Tiwary Son Of Late Ramdeo Tiwary Resident Of Village - Ashok
Pakri, Tiwary Tola, P.O. - Ashok Pakri , P.S. Pipra, District - East
Champaran
4. Bibhakar Tiwary Son Of Late Ramdeo Tiwary Resident Of Village - Ashok
Pakri, Tiwary Tola, P.O. - Ashok Pakri , P.S. Pipra, District - East
Champaran
5. Diwakar Tiwary Son Of Late Ramdeo Tiwary Resident Of Village - Ashok
Pakri, Tiwary Tola, P.O. - Ashok Pakri , P.S. Pipra, District - East
Champaran
6. Kamla Mishra D/O Ved Prakash Tiwari, Wife Of S.N. Mishra Resident Of
Flat No. 106, Shradhha Fairmount, Hsr Layout, Sector - 2, 27th Mail, Soma
Sundar Pallaya, Bangalore Karnataka Pin - 560102

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prashant Sinha, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 30-08-2025 Learned counsel for the petitioner and learned counsel
for the respondents are present.

2. The present writ petition has been filed for
quashing of the order dated 31.07.2013 passed by the Sub
Judge-8, Motihari in Misc. Case No.11 of 1995/03 of 2004.

3. During the pendency of this writ application,



changes have been introduced in the filing procedure, whereby Chapter IIIA of Rules of the High Court at Patna, 1916 has been substituted by C.S. No.151 dated 14.03.2016 (w.e.f. 01.04.2016), published in the Extraordinary Bihar Gazette No.208 dated 26.03.2016, which provides as follows:-

“6. Petitions under Article 227 of the Constitution of India in respect of any order or any proceeding before any Civil Court, would be filed in Civil Miscellaneous Jurisdiction and would be numbered as Civil Miscellaneous No. (C. Misc. No.).”

4. Since, the present writ application appears to have been filed in respect of an order/proceeding before a Civil Court, learned counsel for the petitioner is directed to take steps to convert the present writ application into a Civil Miscellaneous Case within four weeks from today. Thereafter, the Office shall proceed further in accordance with law.

(Dr. Anshuman, J)

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