

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1133 of 2024

Upendra Kumar Son of Jagdish Kumar Resident of Village- D.K. Shikarpur,
Post Office and Police Station- Shikarpur, District- West Champaran At
present Son of Jagdish Kumar, House No. F- 73, East of Kailash
Srinivasपुरi, South Delhi, Delhi- 110065.

... .. Petitioner/s

Versus

1. Sumit Rai Son of Late Krishna Kumar Rai, Resident of Village- Bilashpur,
Post Office and Police Station- Ram Nagar, District- West Champaran.
2. Most. Jaya Rai, Wife of Late Pradeep Rai, Resident of Village- Bilashpur,
Post Office and Police Station- Ram Nagar, District- West Champaran.
3. Most. Manjula Rai, Wife of Late Krishna Kumar Rai, Resident of Village-
Bilashpur, Post Office and Police Station- Ram Nagar, District- West
Champaran.
4. Smt. Sudha Rai, Wife of Subhash Rai, Resident of Village- Bilashpur, Post
Office and Police Station- Ram Nagar, District- West Champaran.
5. Ram Lakhan Panjiyar, Son of Late Chaturi Panjiyar, Resident of Village-
Prasnda, Post Office- Jamuniya, Police Station- Subhadra, District- West
Champaran.
6. Jayhind Panjiyar, Son of Late Baidhyanath Panjiyar, resident of Village-
Prasnda, Post Office- Jamuniya, Police Station- Subhadra, District- West
Champaran.
7. Santosh Kumar Rai, Son of Late Ravindra Prasad Rai, Resident of Village-
Vilashpur, Post Office- Hari Nagar, Police Station- Ram Nagar, District-
West Champaran.
8. Sanjeev Rai, Son of Shivendra Prasad Rai, Resident of Village- Vilashpur,
Post Office- Hari Nagar, Police Station- Ram Nagar, District- West
Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh, Advocate Mr. Rajesh Kumar, Advocate
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-01-2025 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 with limited prayer seeking direction to learned Sub Judge-I, Bagaha, West Champaran to dispose of the application dated 06.01.2024 filed by the petitioner under Order 39 Rule 1 and 2 of the Code of Civil Procedure (in short 'the Code') in Title Suit No. 85 of 2019.

4. Learned counsel for the petitioner submits that even after passage of one year the application filed by the petitioner Order 39 Rule 1 and 2 of the Code is pending and the learned trial court has not been making any effort to dispose of the application though appearance is complete. Learned counsel further submits under the mandate of law such applications are to be decided within 30 days.

5. Since the petitioner has approached this Court with limited prayer for disposal of his application under Order 39 Rule 1 and 2 of the Code, I do not think that there is any need to issue notice to the private respondents.

6. Having regard to the facts and circumstances of the case, learned Sub Judge -I, Bagaha, West Champaran is directed to take up the application filed by the petitioner on 06.01.2024 under Order 39 Rule 1 and 2 of the Code in Title Suit No. 85 of 2019 for early disposal and make effort to dispose of the same



preferably within a month from the date of receipt/production of
a copy of this order.

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

(Arun Kumar Jha, J)

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