

Vijay Kumar Singh and ors Vs. Bimla Devi and anr

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Court : Jharkhand

Decided On : Jul-26-2013

Appellant : Vijay Kumar Singh and ors

Respondent : Bimla Devi and anr

Judgement :

IN THE HIGH COURT OF JHARKHAND AT RANCHI W.P.C. No. 1375 of 2013 ---
Vijay Kumar Singh and Ors. Petitioners Versus Bimla Devi and Anr.
Respondents --- CORAM: HONBLE MR. JUSTICE P.P. BHATT For the Petitioners
: Mr. Satish Kumar Deo, Adv. For the respondent : Mr. Amar Kumar Sinha, Vishal
Kuamr, Adv. - -- Order No.09 Dated 26th July, 2013. The petitioners, by way of
filing the present writ petition under Article 227 to the Constitution of India, have
prayed for quashing and setting aside the order dated 30.1.2013 passed by the
Court of Civil Judge, II, Gumla in T.S. No. 38/2002, whereby, the court below has
rejected the petition filed under Section 151 Cr.P.C. Heard the learned counsel for
the parties and perused the impugned order as well as other materials placed on
record. Learned counsel for the respondents has referred to and relied upon a
judgment delivered by the Hon'ble Apex Court reported in the case of Bagai
Construction through its Proprietor Mr. Lalit Begai Vs. Gupta Building Material
Store [2013(2) SCCD 1074 SC)] and submitted that in view of the said judgment,
this petition may be dismissed in limine. From perusal of the impugned order as
well as other materials, placed on record, it appears that the court below after
careful consideration of the facts and circumstances of the present case, has

rejected the petition filed under Section 151 C.P.C. and, therefore, the learned court below has not committed any error while passing the impugned order in exercise of the powers and jurisdiction vested with it. From perusal of the above said judgment cited by the learned counsel for the respondents, it also appears that the present petition deserves to be dismissed. In view of the above premises more particularly in view of the judgment cited above, the intervention of this Court under Article 227 of the Constitution of India is not required. Accordingly, this petition stands dismissed. Anu /- (P.P. Bhatt, J.)

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