

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**W.P.(C) No.1643 of 2008**

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 1(a). Smt. Maya Kisku  
 1(b). Miss. Anita Mona Kisku  
 1(c). Ujjwal Kisku  
 1(d). Kanan Kumar Kisku  
 No. 1(a) wife of Late Brijlal Kisku  
 No.1(b) daughter of Late Brijlal Kisku  
 No.1(c) & 1(d) both sons of Late Brijlal Kisku  
 All permanent residents of Mauja Lakhari, P.S-Giridih (M), PO-Pachamba, District-Giridih

..... Defendant-Judgment Debtor-Petitioners  
 -Versus-

Bimla Kisku wife of Late Bipat Chand Minz, resident of Pachamba, P.O-Giridih, P.S-Giridih (T), District-Giridih  
 .....Plaintiff-Decree Holder- Respondent

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**CORAM: HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR**

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 For the Petitioners : Mr. R.N. Sahay, Sr. Adv.  
 For the Respondent : -----

09/28.03.2018 Aggrieved of order dated 09.01.2008 passed in Execution Suit No.04 of 1995 whereby application under section 47 C.P.C has been dismissed, the petitioner-judgment debtor has approached this Court.

2. Without recording detail facts of the case, suffice would be to indicate that against an order passed under section 47 C.P.C on 04.06.2005 the petitioner came to this Court in W.P.(C) No.3689 of 2005. The writ petition stood disposed of with a direction to the executing court to execute the decree in accordance with law. The judgment debtor again filed an application on 04.10.2007 which has been dismissed by the impugned order dated 09.01.2008. This was also an application under section 47 C.P.C.

3. Pursuant to order dated 19.07.2017, a report from the trial court has been received. It is stated that the case is pending for the report of survey knowing Pleader Commissioner in respect of measurement of the decreetal property. In this view of the matter grievance raised by the petitioner in this writ petition has been rendered

infructuous. The executing court shall execute the decree, expeditiously.

4. The writ petition stands disposed of.

**(Shree Chandrashekhar, J.)**

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