

IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No. 9 of 2021

1. Vijay Agarwal (Ringsia)					
2. Sunil Agarwal (Ringsia)			Petitioners
Versus					
Gajanand Kajaria			Opposite Party

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioners	-----	: Mr. Ankit Vishal, Advocate
For the Opposite Party	:	

Order No. 04

Dated: 26.03.2021

The present C.M.P. is taken up today through Video conferencing.

Reference may be made to order dated 29.01.2021, which reads as under:

Mr. Indrajit Sinha, learned counsel for the petitioners/judgment debtors of Eviction Suit No. 42/2012, submits that the petitioners are primarily aggrieved with the observation made by the Additional Civil Judge (Jr. Div.), Jamshedpur in the order dated 22.12.2020 passed in Execution Case No. 29/2018. It is further submitted that an interim relief to the petitioners has already been granted to the petitioners in S.A. No. 50/2019 by a Bench of this Court yesterday. Hence, the present C.M.P is limited to the extent of the observation made by the Court of the Additional Civil Judge (Jr. Div.), Jamshedpur which is as under:

"DHR has filed writ to proceed further in this case for execution of decree. **The Court proceeds in this way on the verbal order of Hon'ble Principal District & Sessions Judge, Jamshedpur.**"

It is not understood as to under what context the said observation has been made by the Additional Civil Judge (Jr. Div.), Jamshedpur.

Hence, let an explanation be called from the said Court on the aforesaid point.

Put up this case after four weeks along with the said explanation under the appropriate heading.

Pursuant to order dated 29.01.2021, an explanation has been submitted by the Civil Judge (Jr. Div.)-cum-J.M. 1st Class, Jamshedpur explaining the circumstances under which she had made the aforesaid observation in the order dated 22.12.2020 passed in

Execution Case No. 29/2018.

Having gone through the said explanation submitted by the Civil Judge (Jr. Div.)-cum-J.M. 1st Class, Jamshedpur, I am of the view that the said explanation is satisfactory and the same is accepted. There is no need to take any action against the said officer and the matter is hereby closed.

Since it has already been submitted by the learned counsel for the petitioners that S.A. No. 50/2019 is already pending before a Bench of this Court, there is no reason to proceed further in the present C.M.P. The same is accordingly disposed of.

(Rajesh Shankar, J.)

Manish