

Exec. No.: 10/2023.

v.

156

Order with initials of the Civil Judge (Jr. Div.)

Sr. No. Dated

23-10-24 Both parties have filed their  
 plaint. Counsel for D1 is directed  
 to do proper plaint and mention  
 his numbers in his plaint.  
 On call Id. counsel for JD appeared  
 and presented its objection filed on  
 30-10-2023. D1 do proper plaint  
 so that proceeding move further.  
 Put-upon 28-11-24 for further  
 proceeding and hear.

Counsel  
 appeared  
 29-7  
 objection  
 30/10/23  
 Counsel  
 appeared  
 28-11-24  
 23/10/24

28-11-24 Both parties have filed their  
 plaint. On call Id. Counsel for both  
 parties have appeared. Heard both  
 parties on the petition dated  
 30-10-2023.  
 Put-upon 06-12-24 for  
 further hearing and order.

06/12/24 Petitions has been filed on behalf  
 of both the parties, though the petition  
 of Judgment Debtor does not mention  
 the details of Judgment debtor on  
 whose behalf such petitions has  
 been filed.  
 The case record is fixed today  
 for order on petition of judgment debtor  
 No 01 to 08 & 10 dated 30/10/2023 by  
 which the petitioners have prayed for  
 dismissing this execution case. I have

CJ

IN THE COURT OF MUNSI/CIVIL JUDGE (JUNIOR DIVISION), LAKHISARAI  
Presiding Officer: Swati Singh, Civil Judge (Jr. Div.), Lakhisarai

Ex. No.: 10/2022

v.

Sr. No.	Dated	Order with initials of the Civil Judge (Jr. Div.)	Remarks
	06/12/24	<p>heard both the parties on the petition whereon the decreeholder raised oral objections vehemently.</p> <p>It has been contended by the petitioners that the predecessor court of Munsif, LKR, passed an order on 07/02/22 without effectuating the partition by metes and bounds in the light of preliminary decree and orders dated 02/12/2021 in MTA 26/2008. On such ground the ld. Counsel for the petitioners prayed for dismissing this execution case 10/22 with his conclusion that this case is not maintainable.</p> <p>During the course of hearing it was made clear that the orders dated 07/04/2021 of Munsif, Lakhisarai &amp; 10/1/2022 was never challenged by any of the parties; nor the orders dated 22/10/2022 of the Ex. 10/22 was ever challenged by the petitioners by which the present Execution case was admitted.</p> <p>It is quite apparent that by way of instant petition, the petitioners have sought such a relief which is in the exclusive jurisdiction of the revisional court. This court is of view that it beyond the competency of this court to check the propriety of its own order and pass dismissal order against orders dtd 20/10/22, though the petitioners had a liberty to proceed against the impugned orders in appropriate forum.</p> <p>The petition dated 23/10/2023 is dismissed. Put upon</p>	

Swati Singh  
06/12/24  
Civil Judge (Jr. Div.) LKR.