

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Civil Appellate Jurisdiction)
S. A. No. 343 of 2003

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Most. Sarswati Kuar & Others Appellants
Versus
Most. Fulkali Kuar & Others Respondents

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO
(Through : Video Conferencing)

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For the Appellants : Mr. Rahul Kumar Gupta, Advocate
For the Respondents : Mr. Jitesh Kumar, Advocate.
Mr. Praveen Kumar Verma, Advocate.

.....
33/29.06.2020

Heard, learned counsel for the appellants, Mr. Rahul Kumar Gupta.

I.A. No.6257 of 2019 has been filed under Order XXXIX, Rule 2A C.P.C. for the disobedience of the order dated 10.12.2009 and 18.01.2010 passed by Coordinate Bench of this Hon'ble Court, whereby the status quo as on that day shall be maintained.

Learned counsel for the appellants has submitted that the appeal has been admitted on 17.08.2004 but the plaintiffs, who has filed the suit for partition with regard to the land of Khata No.49, Plot No.1097 Area-9 decimal, has subsequently sold the property to one Sangita Devi vide Sale Deed dated 19.06.2017 without leave of the Hon'ble Court, as such, respondent no.14, Arjun Dubey has committed disobedience of the order passed by this Hon'ble Court, which has been brought on record at page-39 of the I.A. No.6257 of 2019.

Learned counsel for the appellants has further submitted that subsequently respondent no.14, Arjun Dubey has also sold a part of suit land in favour of Urwashi Priti Devi vide sale deed dated 19.06.2017, which has been brought on record at page-64 of the I.A. No.6257 of 2019.

Learned counsel for the appellants has further submitted that from genealogical table appended with the I.A. No.6257 of 2019 at page no.-78, it appears that the C.S. Khata No.19, Plot nos.358 and 359, which is similar as RS Khata No.49, Plot nos.1097 and 1099 have been sold by respondent no.14, Arjun Dubey, which amounts to disobedience of the order passed by this Court, as such, necessary order may be passed.

Learned counsel Mr. Jitesh Kumar and Mr. Praveen Kumar Verma on instruction of learned counsel for the respondents, Mr. Arbind Kumar Sinha has submitted that though they have filed counter affidavit to this Interlocutory

Application, but since their senior counsel is Mr. Manjul Prasad, as such, some time may be granted, as the Country is passing through lock down, to accommodate the senior counsel.

Considering the rival submissions of the parties, let the appeal be listed after two weeks after the lock down period is over.

(Kailash Prasad Deo, J.)

Sunil-Jay/