

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No.2566 of 2013

Dhirendra Prasad Sinha

... .. Petitioner

Versus

Harihar Das and Ors.

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

For the Petitioner : Mr. Sandeep Verma, Advocate

For the Respondents : None

05/Dated 25th March, 2021

The matter has been listed to be heard through video conferencing.

None appears for the respondents.

This writ petition is under Article 227 of the Constitution of India wherein the order has been sought to be executed passed in Title Suit No.19 of 2005 dated 01.11.2010 in an execution proceeding being Execution Case No.13 of 2010.

It appears from the records of this case that an ad-interim stay for maintaining *status quo* has been passed vide order dated 07.05.2013.

The case was listed on board on 16.03.2021. One of the counsel for the petitioner on record, namely, Mr. Sandeep Verma, had sought for adjournment of this matter and this Court had adjourned the matter on his prayer and as prayed for by him had listed the case on 18.03.2021. The case could not have been taken up on 18.03.2021, therefore, the same has been listed today, i.e., on 25.03.2021.

Today, Mr. Sandeep Verma, learned counsel for the petitioner submits that this case is to be argued by another counsel for the petitioner on record, namely, Mr. Amar Kumar Sinha but he is unable to argue the matter since he is suffering from fever due to the effect of COVID-19 vaccination.

It is regretted that the submission about the argument to be made by Mr. Amar Kumar Sinha has not been by Mr. Sandeep Verma

on 16.03.2021 and today when the case has been called out, such submission has been made, therefore, this Court is not happy with such submission made by Mr. Sandeep Verma.

However, considering his repeated prayer and taking into consideration the reason for adjournment, this Court, in the ends of justice, deems it fit and proper to adjourn the matter and to list this case on 08.04.2021 at the top of the list under the same heading.

It is made clear that no adjournment shall be granted on the next date of listing and the matter would be decided on the basis of the material available on record, therefore, parties are directed to remain present on that date.

(Sujit Narayan Prasad, J.)

Saurabh