

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11788 of 2014

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1. Bibi Kubra Begum widow of Late Sayyed Mukhtar Hussain
 2. Sayed Sohail Parwej
 3. Sayed Rahil Parwej both sons of Late Sayed Mukhtar Hussain
 4. Hena Parween
 5. Rehana Parween both 4 and 5 daughters of Late Manjoor Hussain All residents of Alamganj, Nagina bagh ward no.4, P.S. Purnia Sadar, District - Purnia
 6. Nilofar Parveen (Wife of Quaisar Alam), daughter of Late Sayed Mukhtar Hussain resident Najira Bagh, ward No. 10, P.S. Shankarpur, District - Madhepura
 7. Shabnam Parveen (Wife of Md. Hafizur Rahman) daughter of Late Sayed Mukhtar Hussain resident of Maheswa - Singheshwar Asthan, P.S. and District - Madhepura
 8. Suraiya Parveen (Wife of Sayed Reza) daughter of Late Mukhtar Hussain resident of Sabutar, P.S. K, Nagar, District - Purnia
 9. Nihat Parveen (Wife of Md. Atikur Rahman) daughter of Late Sayed Mukhtar Hussain resident of Maheshwa - Sigheshwar Asthan, P.S. Madhepura, District - Madhepura
- **Petitioners.**

Versus

1. Md. Zakiruddin son of Md. Elahi Mian
2. Bibi Amil Khatoon widow of late Sayed Hussain
3. Sayed Hoda
4. Sayed Azad Hussain both (3 and 4) sons of late Sayed Hussain All 1 to 4 residents of village - Nagina Bagh, Post Purnia City, Police Station Sadar, District - Purnia
5. Zenat Ara Begum d/o late Sayed Noor Hussain and wife of Md. Anis resident of village - Nagina Bagh, Post Purnia City, Police Station Sadar, District - Purnia
6. Rahima Begum d/o late Sayed Noor Hussain and wife of Md. Irsad
7. Sahara Begum d/o late Sayed Noor Hussain and wife of Mansoor Both (6 and 7) residents of Rahika Tola, Ward No.8, near Araria Police Station, Police Station and District - Araria
8. Jahan Ara Begum d/o late Sayed Noor Hussain and wife of Jabir Hussain Resident of Village - Kamalpur, Tola - Khagota, Police Station - Sadar, District - Purnia
9. Guria Begum d/o late Sayed Noor Hussain and wife of Sayed Maulvi Manjoor Hussain resident of village - Fulpur, Police Station - Sadar, District - Purnia
10. Rafat Ara Begum d/o late Sayed Noor Hussain resident of village - Nagina Bagh, Post Purnia City, Police Station Sadar, District - Purnia
11. Najni Begum d/o late Sayed Noor Hussain resident of village - Nagina Bagh, Post Purnia City, Police Station Sadar, District - Purnia
12. Sayed Adil Hussain son of Sayed Noor Hussain resident of village - Nagina Bagh, Post Purnia City, Police Station Sadar, District - Purnia

-(Defendants)-Respondents.

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Appearance :

For the Petitioner/s : Mr. Rajeeva Roy, Adv.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

4 23-06-2015

Heard Mr Rajeeva Roy, the learned counsel appearing for the petitioners.

The learned counsel has firstly pressed the interlocutory application (I.A.No.1914/2015) filed for substitution of the heirs and legal representatives of the deceased respondent no.1 Md Zakiruddin stating that he died on 13.08.2014 leaving behind his successor-in-interest, as mentioned in paragraph-1 of the interlocutory application.

Another interlocutory application (I.A.No.1915/2015) has been filed for addition of the names of the intervener defendants who have been allowed to intervene and added as defendants in the suit by the impugned orders. It has been stated in the petition that their names could not be mentioned as party respondents in this writ application inadvertently.

In view of the facts mentioned in the two interlocutory applications and after considering the submissions, the two interlocutory applications are allowed and the name of the heirs and legal representatives of the deceased respondent no.1 as mentioned in paragraph-1 of the I.A.No.1914/2015 is substituted in his place and the name of the intervener defendants as

mentioned in paragraph-4 of the I.A.No.1915/2015 are added as party respondents in this writ application.

Mr Roy, the learned counsel, thereafter has submitted that the relief is now confined, in the facts and circumstances, only for a direction to the court below to dispose of the suit expeditiously and preferably within a time frame in view of the fact that the suit has been filed in the year 1991 and since then it is pending. This Court finds substance in the prayer made by the learned counsel for the petitioner in view of the long pendnecy of the suit, and as such in view of the limited relief as has now been prayed on behalf of the petitioner, this writ application is disposed of with a direction to the court below to expedite the hearing of the suit and dispose it of preferably within one year from the date of receipt/production of a copy of this order.

In view of the nature of the direction which has been issued, this Court is satisfied that no notice is required to be issued to the respondents.

The writ application is, accordingly, disposed of with aforesaid direction.

(V. Nath, J)

Nitesh/-

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