

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10568 of 2012

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GOPAL KUMAR, SON OF SRI RAM JATAN RAI, RESIDENT OF VILLAGE-DAULATPUR, P.O. & P.S.-HAJIPUR, DISTRICT-VAISHALI, AT PRESENT RESIDING AT KARJA CHATTI, P.O. & P.S.-KARJA, MUNSIFI, MUZAFFARPUR, DISTRICT-MUZAFFARPUR.

.... PETITIONER/S

VERSUS

1. ARUN KUMAR SAH, SON OF SRI NAGENDRA SAH, RESIDENT OF AT + P.O. & P.S.-KARJA, MUNSIFI, MUZAFFARPUR, DISTRICT-MUZAFFARPUR.
2. MUNNI DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF SHAMBHU SAH, RESIDENT OF SARAIYAGANJ, P.S.-TOWN, DISTRICT-MUZAFFARPUR.
3. TARA DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF ANIL KUMAR GUPTA, RESIDENT OF KALYANPUR, P.S.-KALYANPUR, DISTRICT-SAMASTIPUR.
4. RENU DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF RAMBABU PRASAD GUPTA, RESIDENT OF PAROO, P.S.-PAROO, DISTRICT-MUZAFFARPUR.

.... RESPONDENT/S

with

Civil Writ Jurisdiction Case No.10569 of 2012

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GOPAL KUMAR, SON OF SRI RAM JATAN RAI, RESIDENT OF VILLAGE-DAULATPUR, P.O. & P.S.-HAJIPUR, DISTRICT-VAISHALI, AT PRESENT RESIDING AT KARJA CHATTI, P.O. & P.S.-KARJA, MUNSIFI, MUZAFFARPUR, DISTRICT-MUZAFFARPUR.

.... Petitioner/s

Versus

1. RAKESH KUMAR SAH, SON OF JANARDHAN SAH, RESIDENT OF AT + P.O. & P.S.-KARJA, MUNSIFI, MUZAFFARPUR WEST, DISTRICT-MUZAFFARPUR.
2. MUNNI DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF SHAMBHU SAH, RESIDENT OF SARAIYAGANJ, P.S.-TOWN, DISTRICT-MUZAFFARPUR.
3. TARA DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF ANIL KUMAR GUPTA, RESIDENT OF KALYANPUR, P.S.-KALYANPUR, DISTRICT-SAMASTIPUR.
4. RENU DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF RAMBABU PRASAD GUPTA, RESIDENT OF PAROO, P.S.-PAROO, DISTRICT-MUZAFFARPUR.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.10571 of 2012

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GOPAL KUMAR, SON OF SRI RAM JATAN RAI, RESIDENT OF VILLAGE-DAULATPUR, P.O. & P.S.-HAJIPUR, DISTRICT-VAISHALI, AT PRESENT RESIDING AT KARJA CHATTI, P.O. & P.S.-

KARJA, MUNSIFI, MUZAFFARPUR, DISTRICT-MUZAFFARPUR.

.... Petitioner/s

Versus

1. RAJ KISHORE BHAGAT, SON OF SRI ASARFI BHAGAT, RESIDENT OF AT + P.O. & P.S.-KARJA, MUNSIFI, MUZAFFARPUR, DISTRICT-MUZAFFARPUR.
2. MUNNI DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF SHAMBHU SAH, RESIDENT OF SARAIYAGANJ, P.S.-TOWN, DISTRICT-MUZAFFARPUR.
3. TARA DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF ANIL KUMAR GUPTA, RESIDENT OF KALYANPUR, P.S.-KALYANPUR, DISTRICT-SAMASTIPUR.
4. RENU DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF RAMBABU PRASAD GUPTA, RESIDENT OF PAROO, P.S.-PAROO, DISTRICT-MUZAFFARPUR.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.10538 of 2012

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GOPAL KUMAR, SON OF SRI RAM JATAN RAI, RESIDENT OF VILLAGE-DAULATPUR, P.O. & P.S.-HAJIPUR, DISTRICT-VAISHALI, AT PRESENT RESIDING AT KARJA CHATTI, P.O. & P.S.-KARJA, MUNSIFI, MUZAFFARPUR, DISTRICT-MUZAFFARPUR.

.... Petitioner/s

Versus

1. JUGAL KISHORE SAH, SON OF SRI NANHKI SAH, RESIDENT OF VILLAGE-KARJA CHATTI, P.O. & P.S.-KARJA, MUNSIFI, MUZAFFARPUR, DISTRICT-MUZAFFARPUR.
2. MUNNI DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF SHAMBHU SAH, RESIDENT OF SARAIYAGANJ, P.S.-TOWN, DISTRICT-MUZAFFARPUR.
3. TARA DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF ANIL KUMAR GUPTA, RESIDENT OF KALYANPUR, P.S.-KALYANPUR, DISTRICT-SAMASTIPUR.
4. RENU DEVI, DAUGHTER OF LATE SITA RAM SAH, WIFE OF RAMBABU PRASAD GUPTA, RESIDENT OF PAROO, P.S.-PAROO, DISTRICT-MUZAFFARPUR.

.... Respondent/s

Appearance :

(In CWJC No.10568 of 2012)

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh, Adv.

For the Respondent/s : Mr.

(In CWJC No.10569 of 2012)

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh, Adv

For the Respondent/s : Mr.

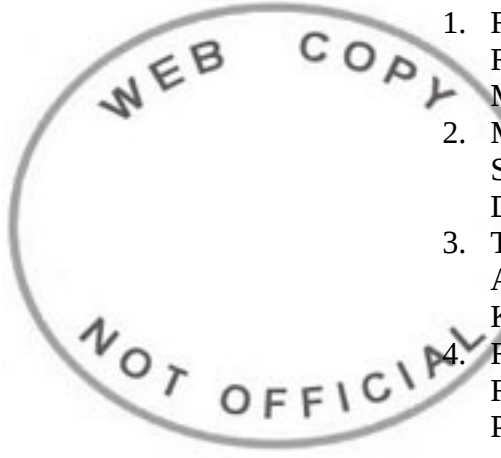
(In CWJC No.10571 of 2012)

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh, Adv

For the Respondent/s : Mr.

(In CWJC No.10538 of 2012)

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh, Adv



For the Respondent/s : Mr.

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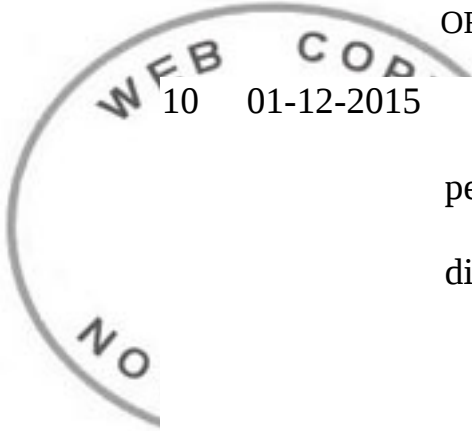
CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

Because of the fact that in all these four petitions petitioner is the same, the lis is the same on account thereof, are disposed of by a common order.

Petitioner had purchased a piece of land from Dinesh Kumar Sah which happens to be under tenancy since before and, for evicting the tenants petitioner has pursue with four eviction suit against respective tenants wherein respondent second set, namely, Munni Devi, Tara Devi and Renu Devi filed petition for impleading them as a party in the background of the fact that they happens to be sisters of Dinesh, vendor of petitioner and the property, being ancestral one also legally acknowledge their rights. The learned lower court allowed the same in all the eviction suits, hence this petition.

The learned counsel for the petitioner submits that instead of allowing the prayer of the respondent second set /intervener, the learned lower court should have directed the respondent second set/intervener to institute a partition suit in order to have their right ascertained and preparation of the decree accordingly.

The aforesaid submission did not find favour in the



background of the fact that petitioner is the person who has brought these four eviction suits wherein, after acknowledging the respondent second set/intervener, it will be incumbent upon the petitioner to have conversion of instant eviction suit and after paying proper court fee with regard to relief so amended, if so desired finally adjudicated upon as to avoid the multiplicity of litigation there happens to be the tenor of law.

Accordingly, these four petitions are found devoid of merit and are rejected.

(Aditya Kumar Trivedi, J)

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