

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11704 of 2013

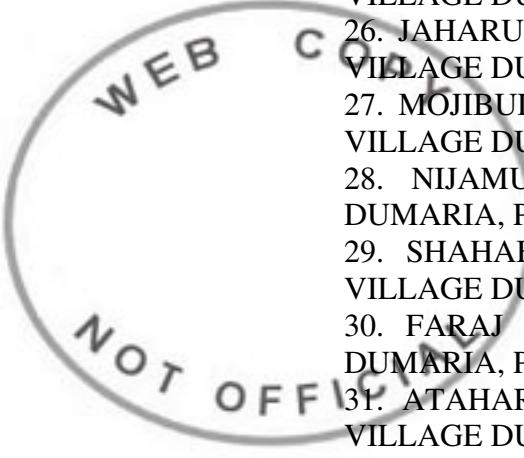
=====

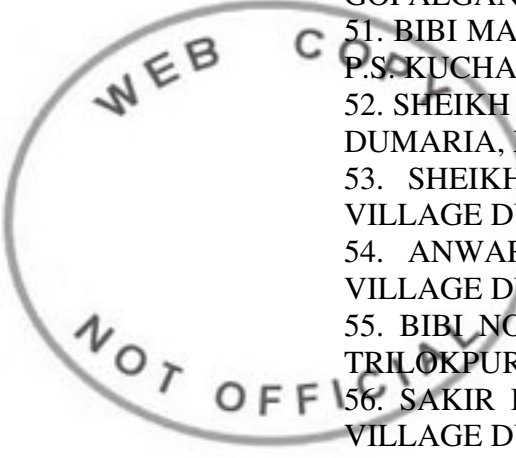
MD. SAJIR @ SAJIR MIAN SON OF LATE HABIB MIAN RESIDENT OF
VILLAGE NAUTAN HARAIYA, P.O. SAKHEY, P.S. UCHKAGOAN,
DISTRICT GOPALGANJ

.... PETITIONER/S

VERSUS

1. NASIR MIYAN SON OF LATE TABARAK MIAN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
2. AMIRUL HAQUE SON OF ALI HASSAN RESIDENT OF VILLAGE SALEHPUR, P.S. KUCHAIKOTE, DISTRICT GOPALGANJ
3. GAFFAR SON OF ALI HASSAN RESIDENT OF VILLAGE SALEHPUR, P.S. KUCHAIKOTE, DISTRICT GOPALGANJ
4. ASHARAF SON OF ALI HASSAN RESIDENT OF VILLAGE SALEHPUR, P.S. KUCHAIKOTE, DISTRICT GOPALGANJ
5. MUSTAFA SON OF ALI HASSAN RESIDENT OF VILLAGE SALEHPUR, P.S. KUCHAIKOTE, DISTRICT GOPALGANJ
6. NOOR AAISHA KHATOON DAUGHTER OF ALI HASSAN RESIDENT OF VILLAGE SALEHPUR, P.S. KUCHAIKOTE, DISTRICT GOPALGANJ
7. NASIMUL HAQUE SON OF MD. HASSAN RESIDENT OF VILLAGE SALEHPUR, P.S. KUCHAIKOTE, DISTRICT GOPALGANJ
8. JIYAUDDIN SON OF LATE SK. UMAR ALI RESIDENT OF VILLAGE NAUTAN KHURD, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
9. KALAMUDDIN SON OF LATE SK. UMAR ALI RESIDENT OF VILLAGE NAUTAN KHURD, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
10. ANAWARI KHATOON WIFE OF IBRAHIM MIYAN RESIDENT OF VILLAGE NARAINPUR, P.S. THAWA, DISTRICT GOPALGANJ
11. KAISHARI KHATOON WIFE OF RASHID MIYAN RESIDENT OF VILLAGE KAWAHI, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
12. SHAHIDA KHATOON WIFE OF JAHIRUDDIN RESIDENT OF VILLAGE BRINDAVAN, P.S. THAWA, DISTRICT GOPALGANJ
13. MD. AARIF SON OF ISHRAHAL MIYAN RESIDENT OF VILLAGE MISHRAULI, P.S. PADRAUNA, DISTRICT KUSHI NAGAR (U.P.)
14. BIBI JOHARA WIFE OF KALAMUDDIN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
15. ASHGARI KHATOON WIFE OF SHEIKH KAMIL RESIDENT OF VILLAGE MISHRAULI, P.S. PADRAUNA, DISTRICT KUSHI NAGAR (U.P.)
16. BIBI SARWAN WIFE OF JAINUL MIYAN RESIDENT OF VILLAGE NAWADA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
17. KAMIL MIYAN SON OF AHMAD MIYAN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
18. BIBI SAIKUL NESSA WIFE OF AHMAD MIYAN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
19. SHEIKH JAHANGIR SON OF SHEIKH WELAYAT MIYAN RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
20. SHAYADA KHATOON WIFE OF SHEIKH SAGIR RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
21. MAKSUD ALAM SON OF SHEIKH SAGIR RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
22. SHEIKH SAKIR SON OF SHEIKH SAGIR RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ

- 
23. SHEIKH SOHRAB SON OF SHEIKH SAGIR RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 24. NASIMA KHATOON WIFE OF SHEIKH SERAJUDDIN RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 25. GULAB MIYAN SON OF SHEIKH SERAJUDDIN RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 26. JAHARUL HASSAN SON OF SHEIKH SAMSUL HODA RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 27. MOJIBUL RAHMAN SON OF SHEKH SAMSUL HODA RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 28. NIJAMUDDIN SON OF LATE HABIB RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 29. SHAHABUDDIN SON OF SHEIKH NOOR SAHID RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 30. FARAJ SON OF SHEIKH NOOR SAHID RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 31. ATAHAR HUSSAIN SON OF SHEIKH NOOR SAHID RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 32. SHEIKH HAZARAT SON OF SHEIKH NOOR SAHID RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 33. SHEIKH MAINUDDIN SON OF SHEIKH NOOR SAHID RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 34. SAHJADI KHATOON DAUGHTER OF LATE ALI RAJA RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 35. SULAI KHATOON DAUGHTER OF LATE ALI RAJA RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 36. GURIA KHATOON DAUGHTER OF LATE ALI RAJA RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 37. MOHMMAD RAJA SON OF LATE SHEIKH MAHBOOB RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 38. ALI IMAM SON OF LATE REYAZUL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 39. NAJARE IMAM SON OF LATE REYAZUL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 40. FAJALE IMAM SON OF LATE REYAZUL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 41. ZAFFAR IMAM S/O LATE REYASUL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 42. KAMRUH NESHA WIFE OF NIJAMUDDIN DAUGHTER OF LATE REYAZUL RESIDENT OF VILLAGE NABIGANJ, P.S. SIWAN DISTRICT SIWAN
 43. ROSANI KHATOON WIFE OF AFJAL ALAM DAUGHTER OF LATE REYAZUL RESIDENT OF VILLAGE NABIGANJ, P.S. SIWAN DISTRICT SIWAN
 44. GULSAN KHATOON WIFE OF PARWEZ DAUGHTER OF LATE REYAZUL RESIDENT OF VILLAGE NABIGANJ, P.S. SIWAN DISTRICT SIWAN
 45. RUSTAM SON OF LATE SHEIKH AMIR RESIDENT OF VILLAGE NIKI CHHAPRA, P.S. BARHARIA, DISTRICT SIWAN
 46. MAZID SON OF LATE SHEIKH AMIR RESIDENT OF VILLAGE NIKI CHHAPRA, P.S. BARHARIA, DISTRICT SIWAN
 47. WAZID SON OF LATE SHEIKH AMIR RESIDENT OF VILLAGE NIKI CHHAPRA, P.S. BARHARIA, DISTRICT SIWAN
 48. BIBI TASLIMA WIFE OF LATE JAYEED RESIDENT OF VILLAGE NIKI CHHAPRA, P.S. BARHARIA, DISTRICT SIWAN

- 
49. SHEIKH AFASANA (MINOR) DAUGHTER OF LATE SHEIKH JALLAL RESIDENT OF VILLAGE NAWADA PARSAUNI, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 50. REHANA KHATOON WIFE OF SHER MOHAMMAD RESIDENT OF VILLAGE NAWADA PARSAUNI, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 51. BIBI MALARI WIFE OF UNKNOWN RESIDENT OF VILLAGE RAMPUR, P.S. KUCHAIKOTE, DISTRICT GOPALGANJ
 52. SHEIKH ISRAIL SON OF LATE SHEIKH BILAL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 53. SHEIKH SHAMSUDDIN SON OF RAJA HUSSAIN RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 54. ANWAR HUSSAIN SON OF LATE NIZAMUDDIN RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 55. BIBI NOOR JAHAN WIFE OF MAINUDDIN RESIDENT OF VILLAGE TRILOKPUR, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 56. SAKIR HUSSAIN SON OF LATE SHEIKH KITAB ALI RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 57. BASIR HUSSAIN SON OF LATE SHEIKH KITAB ALI RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 58. JULFIKAR HUSSAIN SON OF LATE SHEIKH KITAB ALI RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 59. JAGDISH SAH SON OF LATE HARHANGI SAH RESIDENT OF VILLAGE NAUTAN HARAIYA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 60. KHAIRUN NESA WIFE OF LATE ISHA MIAN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.O. SHANKHEY KHAS, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 61. EKBAL ALAM @ DARA SON OF LATE ISHA MIAN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.O. SHANKHEY KHAS, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 62. ABRE ALAM SON OF LATE ISHA MIAN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.O. SHANKHEY KHAS, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 63. SHAH ALAM SON OF LATE ISHA MIAN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.O. SHANKHEY KHAS, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 64. BASIR MIYAN SON OF LATE ISHA MIAN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.O. SHANKHEY KHAS, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 65. MAZURUN NESHA WIFE OF ALLAUDDIN DAUGHTER OF LATE ISHA MIAN RESIDENT OF VILLAGE JAGARNATHA, P.S. MANJHAGARH, DISTRICT GOPALGANJ
 66. NOOR JAHAN WIFE OF MD. KADIR DAUGHTER OF LATE ISHA MIAN RESIDENT OF VILLAGE MISHRAULI, P.S. JADOPUR PADRAUNA, DISTRICT KUSHI NAGAR (U.P.)
 67. MOHAMMAD ALAM SON OF NAJIR MIYAN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.O. SHANKHEY KHAS, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
 68. BAHISTUN NEESHA WIFE OF MOBIN ALAM RESIDENT OF VILLAGE MAHUWAN, P.S. KUCHAIKOTE, P.O. SASAMUSA, DISTRICT GOPALGANJ
 69. NAYEE KHATOON WIFE OF NASARULLAH RESIDENT OF VILLAGE BHIBHERAWA, P.O. AND P.S. GOPALGANJ, DISTRICT GOPALGANJ
 70. SARFUN NESSA WIFE OF JAHARUDDIN RESIDENT OF VILLAGE BEDU TOLA, P.O. AND P.S. THAWA, DISTRICT GOPALGANJ
 71. SHEIKH ANWAR SON OF ISRAIL MIYAN RESIDENT OF VILLAGE

- MISHRAULI, P.S. PADRAUNA, DISTRICT KUSHI NAGAR (U.P.)
72. SHEIKH ABRAR SON OF ISRAIL MIYAN RESIDENT OF VILLAGE MISHRAULI, P.S. PADRAUNA, DISTRICT KUSHI NAGAR (U.P.)
73. ABDUL KAYUM SON OF AHMAD MIYAN RESIDENT OF VILLAGE NAUTAN HARAIYA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
74. SHAYADA KHATOON WIFE OF SHEIKH SAGEER RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
75. MAKSUD ALAM SON OF SHEIKH SAGEER RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
76. SHEIKH IBRAHIM SON OF WOLAYAT HUSSAIN RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
77. BIBI SABRA KHATOON WIFE OF RAHMTULLAH MIYAN RESIDENT OF VILLAGE HARDIA, P.S. THAWE, DISTRICT GOPALGANJ
78. JAHARUL HASSAN SON OF SAMSUL HAQUE RESIDENT OF VILLAGE DUMARIA, P.O. SHANKHEY, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
79. MAJABUL RAHMAN SON OF SAMSUL HAQUE RESIDENT OF VILLAGE DUMARIA, P.O. SHANKHEY, P.S. UCHKAGOAN, DISTRICT GOPALGANJ
80. JUMAN MIYAN SON OF ALIRAJA MIYAN RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY, DISTRICT GOPALGANJ
81. GURIA KHATOON DAUGHTER OF JUMAN MIYAN RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY, DISTRICT GOPALGANJ
82. SAHEB JAN SON OF SHEIKH JALLAL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY, DISTRICT GOPALGANJ
83. ALIJAN SON OF SHEIKH JALLAL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY, DISTRICT GOPALGANJ
84. RABEYA KHATOON WIFE OF JABBAR RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY KHAS, DISTRICT GOPALGANJ
85. ABDULLAH SON OF USMAN GANI RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY KHAS, DISTRICT GOPALGANJ
86. MAINULLAH SON OF USMAN GANI RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY KHAS, DISTRICT GOPALGANJ
87. ISRAFIL SON OF BEKEDAN RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY KHAS, DISTRICT GOPALGANJ
88. MOHAMMAD RAJA SON OF BEKEDAN RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY KHAS, DISTRICT GOPALGANJ
89. MURTUJA SON OF MUSTAFA RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY KHAS, DISTRICT GOPALGANJ
90. HASIM SON OF JAMIL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY KHAS, DISTRICT GOPALGANJ
91. HASMUDDIN SON OF JAMIL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY KHAS, DISTRICT GOPALGANJ
92. MAINUDDIN SON OF JAMIL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY KHAS, DISTRICT GOPALGANJ
93. YAINUDDIN SON OF JAMIL RESIDENT OF VILLAGE DUMARIA, P.S. UCHKAGOAN, P.O. SHANKHEY KHAS, DISTRICT GOPALGANJ

.... RESPONDENT/S

=====

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT
Date: 26-09-2016

Heard learned counsel for the petitioner and the learned
counsel for the respondents.

2. This application, filed on behalf of the petitioner,
under Article 227 of the Constitution of India, is directed against the
order dated 06.03.2013 passed in Title Appeal No. 67 of 2012 by the
Adhoc Additional District Judge-5th, Gopalganj, whereby the service
report of summons in respect to respondent nos. 2 and 4, namely, Eqbal
Alam and Sah Alam was declared valid due to acceptance of their
summons by respondent no. 3, Abre Alam.

3. I find no illegality in the impugned order amounting to
an abuse of the process of the court for interference in an extra-ordinary
jurisdiction under Article 227 of the Constitution of India.

4. Accordingly, this writ application stand dismissed.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
Uploading Date	29.09.2016
Transmission Date	