

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10557 of 2014

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1. Shri Shyam Narayan Rai son of late Brahmdeo rai
 2. Shri Bijay Kr. Rai Son of Shyam Narain Rai.
 3. Most. Deopati Devi Widow of Late Nawal Kishore Rai all resident of Village and P.O- Manohepur Kacchuara, P.S- Gaurichak, Distt- patna.
 4. Smt. Kishunpati Devi wife of Shri Deolal Rai resident of Village Khapura, P.S and P.O- Nagernausa, Distt- Nalanda.

.... Petitioner/s

Versus

1. Shri Ram Babu Rai Son of Late Hariher Prasad Rai
2. Smt. Sanjay Kumar Rai Son of Shri Ram Babu Rai Both resident of village Samshipur Diyara,P.S and P.O- Bachhwara, Distt- Begusarai.
3. Shri Bhuneshwar Prasad Singh Son of late Ram Kishun Singh resident of Village and P.O- Mohiuddinpur, P.S- Fatwah, Distt- Patna.
4. Bengali Roy Son of late Ram Bhajan Rai
5. Chandeshwari Rai Son of Bengali Rai
6. Muneshwar Rai Son of Shri Bengali Rai All resident of Village Kanauji, P.O- Manohepur, Kachhuara, P.S- Gopalpur, Distt- patna.
7. Sunaina Devi Wife of Shri Bhuneshwar Prasad Singh resident of Village and P.O Mohiuddinpur, P.S- Fatuha, Distt- Patna.
8. Smt. Sharda Devi Wife of Shri Chandeshwar Prasad
9. Smt. Lalmuni Devi Wife of Muneshwar Rai All residents of Village Kanaujee, P.O- Manohepur, Kacchuara, P.S- Gaurichak, Distt- Patna.
10. Smt. Lilawati Devi Wife of Shri Laxman Rai Resident of Village P.O and P.S- Nagernausa, Distt- Nalanda.
11. Smt. Munna Devi wife of Shri Rajendra Prasad Resident of Village Gulalchak, P.O- Jamui, P.S- Dulhin Bazar, Distt- Patna.
12. Most. Ramia Devi Widow of Alleged Late Funu Rai (Bhagat) resident of Village Kanauji, P.O- Manohepur, Kachhuara, P.S- Gauricak, Distt- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Nandan Prasad, Adv.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL JUDGMENT
Date: 04-07-2016

Heard learned senior counsel for the petitioners.

Learned senior counsel for the petitioners has strongly submitted, on the instruction, that the judgment of T.S. No. 129 of 1952 and judgment of T.A. No. 211 of 1956 were produced in the learned court below but while passing the impugned order, the learned court below has ignored those documents and have also stated in the impugned order that the defendants have not filed the copies of the said judgments.

In view of the aforesaid stand on behalf of the petitioners, it is apparent that, according to the case of the petitioners, the learned court below has committed errors which are apparent on the face of record.

The present application is, therefore, disposed of with liberty to the petitioners to file appropriate petition for recall/review of the order before the learned court below.

(V. Nath, J)

Devendra/-

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