

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12197 of 2014

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Ashutosh Chaturvedi son of Late Krishna Ballav Chaturvedi, Resident of
Krishna Sadan, Mohalla- Nawada, P.S.- Nawada, Ara, District- Bhojpur

.... Petitioner/s

Versus

1. Smt. Prani Devi wife of Late Sri Ram Prikshan Singh Resident of
village/P.O.- Aayar, Block- Bihiyan, P.S.- Jagdishpur, District- Bhojpur
2. Smt. Sita Devi, wife of Jagat Narain Singh Resident of village/P.O.-
Aayar, Block- Bihiyan, P.S.- Jagdishpur, District- Bhojpur
3. Sushila Pandey wife of Late Bishwakant Pandey
4. Ashwani Pandey son of Late Bishwakant Pandey
5. Anjani Pandey son of Late Bishwakant Pandey
6. Gargi Pandey @ Dolly daughter of Late Bishwakant Pandey all 3 to 6
are resident of Mohalla- B 20/49, Bhelupura, Town- Dist- Varanasi.
(Uttar Pradesh)
7. Shashnk Chaturvedi son of Late Raghwendra Chaturvedi, Resident of
B-5/6, Rail Vihar, Indrapuram, Gaziabad (U.P.)
8. Alka Pandey daughter of Late Raghwendra Chaturvedi, wife of Prabhat
Kumar Pandey Resident of D- 428, Shastrinagar, Merrut (U.P.)
9. Suman Pandey daughter of Late Raghwendra Chaturvedi, wife of
Deepak Kumar Pandey Resident of B-5/7, Rail Vihar, Indrapuram,
Gaziabad (U.P.)
10. Smt. Jaishree Pandey daughter of Late Raghwendra Chaturvedi, wife of
Sanjay Kumar Pandey Squadron Leader, MIG-99, APO, Assam
11. Shashi Bhushan Choubey,
12. Sri Bharat Bhushan Choubey, Both 11 and 12 are sons of Ram Bali
Choubey,
13. Pushpa Choubey wife of Ravibhushan Choubey
14. Sri Harsha Kumar Choubey son of Ravibhushan Choubey, All 11 to 14
are resident of village- Bishanpura, P.S.- Tarari, Dist- Bhojpur
15. Nandjee Singh
16. Banarsi Singh Both 15 and 16 are sons of Bashishta Singh
17. Most. Dhanesra Kunwar, wife of Late Nathuni Singh, All 15 to 17 are
resident of village- Bishanpura, P.S.- Tarari, Dist- Bhojpur

18. Paritosh Chaturvedi son of Late Krishna Ballav Chaturvedi,
19. Champa Chaturvedi wife of Late Krishna Ballav Chaturvedi Both
resident of Mohalla- Nawada, P.S.- Nawada, Ara, District- Bhojpur
20. The Registrar, Patna High Court, Patna
21. The Registrar, Civil Court, Ara, Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ghosarvey
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

4 31-03-2016 Heard Mr. Ghosarvey, the learned counsel for the
petitioner and Mr. J.K. Verma, the learned counsel for the
respondents.

The petitioner is aggrieved by order dated 01.04.2014
whereby the learned court below has reconstructed the Ext. 4 and
Ext. 4/A on the direction in this regard given by the learned
District Judge. It transpires from the impugned order that the
plaintiff and other defendants have not raised any objection to the
reconstruction of the aforesaid exhibits before the learned District
Judge or before the learned court below. The learned court below
thereafter has reconstructed the aforesaid Ext. 4 and Ext. 4/A as
directed.

Mr. Verma, the learned counsel for the respondent
nos. 11 to 14 has pointed out that subsequently also the order has

been passed on 16.01.2016 by the learned court below in the suit whereby the photo copy of the gift deeds dated 06.09.1949 have been taken in evidence.

In view of the aforesaid facts and also in view of the fact that no specific objection has been raised by the petitioner with regard to the signatures which are said to have been marked as Ext. 4 and Ext. 4/A, this Court is not inclined to interfere with the impugned order invoking the jurisdiction under Art. 227 of the Constitution of India. However, this order shall not prejudice the right of the petitioner to raise appropriate objections, which may be available to him thereafter, in accordance with law.

At this juncture, Mr. Verma, has pointed out that the suit is of the year 1990 and the defendant 5th set are eager for disposal of the suit at the earliest which has already been placed for argument.

In this backdrop, the learned court below is directed to expeditiously dispose of the suit.

This application is, accordingly, dismissed with abovesaid direction and observation.

(V. Nath, J)

Devendra/-

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