

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12660 of 2013

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1. MOST. RAMPARI DEVI, WIFE OF LATE RAJENDRA PRASAD SINHA, RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
 2. ARBIND PRASAD @ ARBIND KUMAR, SON OF LATE RAJENDRA PRASAD SINHA, RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
 3. SHAILENDRA KUMAR, SON OF RAM BISHUN MAHTO, RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA

.... PETITIONER/S

VERSUS

1. SUDAMA DEVI WIFE OF LATE PARMESHWAR PRASAD RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
2. RAM BISHUN MAHTO SON OF LATE BALDEO PRASAD RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
3. MOST. USHA DEVI WIFE OF LATE BRIJ NANDAN PRASAD RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
4. PRASHANT KUMAR SON OF LATE BRIJ NANDAN PRASAD RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
5. NILRATAN KUMAR SON OF LATE BRIJ NANDAN PRASAD RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
6. GOLU MINOR SON OF PRASHANT KUMAR UNDER THE GUARDIANSHIP OF FATHER NAMELY PRASHANT KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
7. SHREEKANT KUMAR SINGH SON OF LATE PARMESHWAR PRASAD RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
8. ARBIND KUMAR SON OF LATE PARMESHWAR PRASAD RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
9. PRARIT KANT SON OF SHREEKANT KUMAR SINGH RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
10. PRATIKSHA KANT SON OF SHREEKANT KUMAR SINGH RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
11. KUMAR ISHU MINOR SON OF ARBIND KUMAR UNDER THE GUARDIANSHIP OF FATHER ARBIND KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
12. KUMARI LIJA MINOR DAUGHTER OF ARBIND KUMAR UNDER THE GUARDIANSHIP OF FATHER ARBIND KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
13. INDU DEVI WIFE OF ARUN KUNWAR, D/O OF LATE PARMESHWAR PRASAD RESIDENT OF VILLAGE - NANARA, P.S. NOORSARAY, DISTRICT - NALANDA
14. ARBIND KUMAR SON OF RAJENDRA PRASAD SINHA RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
15. AMIT SON OF ARBIND KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
16. ABHISHEK SON OF ARBIND KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
17. SANTU SON OF ARBIND KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRIC - NALANDA
18. MOST. RENU KUMARI WIFE OF LATE JITENDRA KUMAR RESIDENT

- OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
19. PRARIT SON OF LATE JITENDRA KUMAR UNDER THE GURADIANSHIP OF MOTHER MOST. RENU KUMARI RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
20. TINKU SON OF LATE JITENDRA KUMAR UNDER THE GURADIANSHIP OF MOTHER MOST. RENU KUMARI RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
21. KARUNA KUMARI WIFE OF SURENDRA PRASAD, DAUGHTER OF RAJENDRA PRASAD SINHA RESIDENT OF VILLAGE + POST - NIRPUR, P.S. NALANDA, DISTRICT - NALADA
22. MOST. RANJU KUMARI WIFE OF LATE VIJAY PRASAD, SON OF RAJENDRA PRASAD SINHA RESIDENT OF MOHALLA - CHAUK SHIKARPUR, PATNA CITY, DISTRICT - PATNA
23. SUSHILA KUMARI WIFE OF SURENDRA PRASAD, D/O RAJENDRA PRASAD SINHA RESIDENT OF VILLAGE - MAJAITHA, P.S. SILAV, DISTRICT - NALANDA
24. SATYENDRA KUMAR SON OF RAM BISHUN MAHTO RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
25. MURARI PRASAD SON OF RAM BISHUN MAHTO RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
26. PINKU KUMARI WIFE OF SANJAY KUMAR, D/O RAM BRASHUN MAHTO RESIDENT OF VILLAGE - KATHANPURA, P.S. NOORSARAI, DISTRICT - NALANDA
27. SINTU MINOR SON OF SATYENDRA KUMAR, UNDER THE GUARDIANSHIP OF THEIR FATHER SATYENDRA KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
28. AKASH MINOR SON OF SATYENDRA KUMAR, UNDER THE GUARDIANSHIP OF THEIR FATHER SATYENDRA KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
29. TANNU MINOR SON OF SATYENDRA KUMAR, UNDER THE GUARDIANSHIP OF THEIR FATHER SATYENDRA KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
30. KAJU MINOR SON OF SHAILENDRA KUMAR, UNDER THE GUARDIANSHIP OF THEIR FATHER SHAILENDRA KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
31. PAPPU MINOR SON OF SHAILENDRA KUMAR, UNDER THE GUARDIANSHIP OF THEIR FATHER SHAILENDRA KUMAR RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
32. CHHOTU MINOR SON OF MURARI PRASAD, UNDER THE GUARDIANSHIP OF THEIR FATHER MURARI PRASAD RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
33. NANDU MINOR SON OF MURARI PRASAD, UNDER THE GUARDIANSHIP OF THEIR FATHER MURARI PRASAD RESIDENT OF VILLAGE - HASANPUR, P.S. RAJGIR, DISSTRICT - NALANDA
34. SHARADA DEVI WIFE OF KISHORI PRASAD, DAUGHTER OF LATE BALDEO PRASAD RESIDENT OF VILLAGE - JANARAU, P.S. SILAV, DISTRICT - NALANDA

.... RESPONDENT/S

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT
Date: 20-10-2016

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

2. This application, filed on behalf of the petitioners, under Article 227 of the Constitution of India, is directed against the order dated 04.05.2013 passed in Title Suit No. 210 of 2008, whereby the learned Sub-Judge-II, Biharsharif, Nalanda, allowed the application dated 14.03.2013 of the plaintiff/respondent no.1 with direction to defendant nos. 1 and 25/petitioners to lead their evidence first as they have claimed in written statement that the suit property is not joint and has already been partitioned between the parties.

3. I find no illegality in the impugned order amounting to an abuse of the process of the court for interference in an extraordinary 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	24.10.2016
Transmission Date	