

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15993 of 2014

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1. Lal Babu Prasad son of Ram Janam Prasad, resident of village Nawalpur, P.O. Badram, P.S. Hussainganj, District Siwan at present resident of Vijay Hata, P.O. AND P.S. Siwan, District Siwan
 2. Jyoti Devi wife of Sri Munni Lal Bhagat, resident of village Habib Nagar, P.S.- Hussainganj, District- Siwan, at present residing of D/o late Lakha Bhagat, village Vijay Hata, P.O. AND P.S. Siwan, District Siwan
 3. Kishori Devi wife of Sri Jaleshwar Bhagat, resident of village Malupur, P.O. Pachlakhi, P.S. Pachlakhi, District- Siwan, at present resident of D/o Late Lakha Bhagat, village Vijay Hata, P.O. AND P.S. Siwan, District Siwan
 4. Surendra Prasad son of Late Mogal Prasad, resident of village Sawan, P.O. Maharajganj, P.S.- Drauda, District Siwan, presently residing at village Vijay Hata, P.O. AND P.S. Siwan, District Siwan
 5. Birendra Prasad son of Late Mogal Prasad, resident of village Sawan, P.O. Maharajganj, P.S.- Drauda, District Siwan
 6. Shiv Kumari Devi wife of Sri Ramashy Prasad, resident of village Purandarpur, P.S.- Goreakothi, District Siwan, at present resident of village Vijay hata, P.O. AND P.S. Siwan Muffasil, District Siwan

.... Petitioner/s

Versus

1. Dharmshila Devi wife of Sri Raju Kumar Bhagat, D/O Late Sheo Gopal Prasad, resident of village Vijay Hata, P.S. Siwan Muffasil, Pargana Bara, District Siwan, at present Thakur Pachlakhi, P.S. Siwan Muffasil, District Siwan
2. Most. Manju Devi wife of Late Sheo Gopal Prasad
3. Smita Kumari D/o Late Sheo Gopal Prasad (Minor) through mother Most. Manju Devi wife of Sheo Gopal Prasad, resident of village Vijay Hata Bara, P.S. Siwan Muffasil, District- Siwan
4. Pramila Devi wife of Munni Lal Bhagat, D/O Late Sheo Gopal Prasad, resident of Village Mauza Rakba, P.S. Bhore, District Gopalganj at present resident of village Vijay Hata, P.S. Siwan Muffasil, Pargana Bara, District Siwan

.... Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 09-02-2016

Heard learned counsel for the petitioners.

The defendants-petitioners have challenged the order

dated 27.04.2014 passed in T.S. No. 601 of 2011, whereby the defendant's application for addition of purchasers as party has been rejected.

It may be mentioned here that as submitted by the learned counsel for the petitioner the defendants-petitioners have taken stand in the written statement that the suit is bad for non-joinder of necessary party. If at all the purchasers are necessary party that may be considered by the court below but at this stage when neither the purchasers had approached the Court nor the plaintiff is filing any application for their addition, at the instance of the defendants, the purchasers cannot be added as party. Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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