

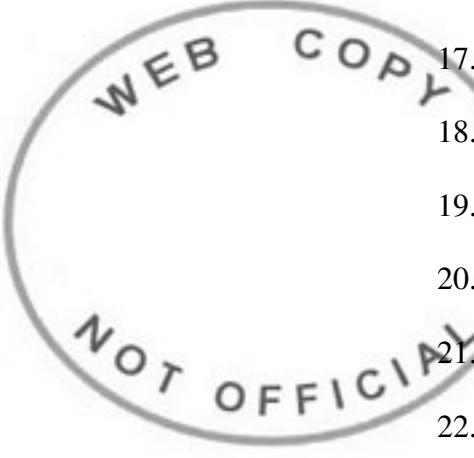
IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12766 of 2013

- =====
1. Prithivi Nath Chaudhary, Son of Late Asarfi Chaudhary, Resident of Village + P.O. + P.S. Kurhani, District – Muzaffarpur.
 2. Amarnath Chaudhary, Son of Late Asarfi Chaudhary Resident Of Village + P.O. + P.S. Kurhani, District - Muzaffarpur
 3. Badri Nath Chaudhary, Son Of Late Asarfi Chaudhary Resident Of Village + P.O. + P.S. Kurhani, District - Muzaffarpur
 4. Kedar Nath Chaudhary, Son Of Late Asarfi Chaudhary Resident Of Village + P.O. + P.S. Kurhani, District - Muzaffarpur
 5. Garib Nath Chaudhary, Son Of Late Asarfi Chaudhary Resident Of Village + P.O. + P.S. Kurhani, District - Muzaffarpur
 6. Rajendra Chaudhary, Son Of Late Gopaljee Chaudhary Resident Of Village + P.O. Kerma, P.S. Kurhani, District - Muzaffarpur

.... Petitioners

Versus

1. Ram Nr. Chaudhary Son Of Late Anant Lal Chaudhary Resident Of Village + P.O. Kerma, P.S. Kurhani, District - Muzaffarpur
2. Smt. Kundan Devi, Wife Of Sri Kishunji Prasad Chaudhary, D/O Late Anant Lal Chaudhary Resident Of Mohalla - R.K. College, Madhubani, P.S. + District - Muzaffarpur
3. Anil Kumar Chaudhary @ Kishori Chaudhary, Son Of Late Bishwnath Chaudhary Resident Of Village + P.O. Kerma, P.S. Kurhani, District - Muzaffarpur
4. Asha Devi, Wife Of Prem Kumar, Daughter Of Late Asarfi Chaudhary Resident Of Village - Bodharwa, P.O. Basthu, P.S. Maina Tand, District - West Champaran
5. Usha Devi, Wife Mohan Prasad Resident Of Village + P.O. Sangrampur, P.S. Gobindganj, District - East Champaran
6. Durga Devi, Wife Of Binda Sah Resident Of Village + P.O. Saura Via - Satikuti, P.S. Bela, District - Sitamarhi
7. Raj Kumari Devi, Wife Of Shivaji Chaudhary Resident Of Village - Aropur, P.O. Rupauli, Via - Saraiya, P.S. Saraiya, District - Muzaffarpur
8. Jay Kumar Chaudhary, Son Of Sheo Devi, Wife Of Late Ganga Chaudhary Resident Of Village - Rupanpatti, Sukki, P.O. Sukki, Via + P.S. Patepur, District - Vaishali
9. Rajesh Kumar Chaudhary, Son Of Sheo Devi, Wife Of Late Ganga Chaudhary Resident Of Village - Rupanpatti, Sukki, P.O. Sukki, Via + P.S. Patepur, District - Vaishali
10. Ramesh Kumar Chaudhary, Son Of Sheo Devi, Wife Of Late Ganga Chaudhary Resident Of Village - Rupanpatti, Sukki, P.O. Sukki, Via + P.S. Patepur, District – Vaishali.
11. Ranjot Devi Wife Of Lal Mohan Prasad Resident Of Village And P.O. Lakhminiya Balia, P.S. Balia, District - Begusarai
12. Sudesh Devi Wife Of Ram Nivash Prasad C/O Bhagwati Agency, Bainta Chowk, Laheria Sarai, District - Darbhanga
13. Most. Shakuntla Devi Wife Of Late Raj Kumar Chaudhary Resident Of Village - Sujawalpur, P.O. + P.S. Sakra, District - Muzaffarpur
14. Indrajit Kumar Son Of Late Raj Kumar Chaudhary Resident Of Village - Sujawalpur, P.O. + P.S. Sakra, District - Muzaffarpur

- 
15. Ranjit Kumar Son Of Late Raj Kumar Chaudhary Resident Of Village - Sujawalpur, P.O. + P.S. Sakra, District - Muzaffarpur
 16. Smt. Sumintra Devi Wife Of Bachcha Prasad Chaudhary, D/O Late Jamun Chaudhary Resident Of Village + P.O. P.S. Lalganj, District - Vaishali
 17. Dharkhan Chaudhary Son Of Not Known Resident Of Village + P.O. + P.S. Katra, District - Muzaffarpur
 18. Chandra Kala Devi Wife Of Baiju Prasad Sah Resident Of Village + P.O. + P.S. Katra, District - Muzaffarpur
 19. Ram Priya Devi D/O Of Dharkhan Chaudhary Resident Of Village + P.O. Skki, Via + P.S. Patepur, District - Vaishali
 20. Shobha Devi D/O Of Dharkhan Chaudhary Resident Of Of Village + P.O. Bela Bhushahi, Via - Prateppur, District - Vaishali
 21. Nagendra Chaudhary Son Of Dharkhan Chaudhary Resident Of Village + P.O. Kishunpur, Madhuban, P.S. Kurhani, District - Muzaffarpur
 22. Nageshwar Chaudhary Son Of Dharkhan Chaudhary Resident Of Village + P.O. Kishunpur, Madhuban, P.S. Kurhani, District - Muzaffarpur
 23. Maheshwar Chaudhary Son Of Dharkhan Chaudhary Resident Of Village + P.O. Kishunpur, Madhuban, P.S. Kurhani, District - Muzaffarpur
 24. Smt. Champa Devi Wife Of Bhuneshwar Prasad, D/O Late Saryug Chaudhary Resident Of Village - Durgapur, P.S. Bhawanipur, District - Purnea
 25. Bhuneshwar Chaudhary H/O Champa Devi Resident Of Village - Durgapur, P.S. Bhawanipur, District - Purnea
 26. Jaishankar Chaudhary Nati Of Late Saryug Chaudhary Resident Of Village - Durgapur, P.S. Bhawanipur, District - Purnea
 27. Om Shankar Chaudhary Nati Of Late Saryug Chaudhary Resident Of Village - Durgapur, P.S. Bhawanipur, District - Purnea
 28. Dhrub Shankar Chaudhary Nati Of Late Saryug Chaudhary Resident Of Village - Durgapur, P.S. Bhawanipur, District - Purnea
 29. Raj Narayan Chaudhary Son Of Late Bishwa Nath Chaudhary Resident Of Village + P.O. Kerma, P.S. Kurhani, District - Muzaffarpur
 30. Surendra Rai Son Of Ram Sevak Rai Resident Of Village + P.O. Kerma, P.S. Kurhani, District - Muzaffarpur

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 30-09-2016

Heard.

This application has been filed under Article 227 of the

Constitution of India against the order dated 07.08.2012 passed in Title Suit No. 27 of 1995, whereby the learned Sub-Judge-Vth, Muzaffarpur rejected the prayer of the defendant/petitioner to take in evidence the Khatihan as filed with the list of document.

On going through the impugned order, it appears that at the stage of the argument, the defendant/petitioner filed a list of document along with Khatihan and made prayer to take the Khatihan in evidence. The learned Sub-Judge-Vth, Muzaffarpur rejected the prayer of the defendant/petitioner arriving at the conclusion that Khatihan for which prayer has been made to take in evidence is not related the land in dispute. I find no illegality to interfere with the same in extraordinary jurisdiction under Article 227 of the Constitution of India and, accordingly, the present application is dismissed.

(Rajendra Kumar Mishra, J)

manish/-

U			
---	--	--	--