

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21242 of 2012

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1. Awadhesh Ram, Son of Late Dukhanti Ram,
2. Hemant Vijay, Son of Awadhesh Ram,
3. Angurwaso Kunwar wife of Late Dukhanti Ram
All residents of village-Bhokhri, P.S. Mohania, Distt-Kaimur at Bhabua
.... Petitioner/s

Versus

1. Sukhari Ram son of Late Ghasi Ram,
2. Mahanand Ram,
3. Om Prakash Ram, sons of Sukhari Ram,
4. Suresh Ram son of Late Ghasi Ram,
5. Devendra Ram son of Late Suresh Ram,
6. Sudama Ram son of Late Ghasi Ram, all residents of Village- Bhokhri,
P.S. Mohania, Distt-Kaimur at Bhabua.

.... Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 12-01-2016

Heard learned counsel for the petitioners.

The order impugned does not require interference.

However, the learned lower court will see that there should not be pendency of Miscellaneous Case No. 43/2011 on undue grounds because of the fact that after all on account of aforesaid pendency, the usufruct of decree of Partition Suit No. 265/2003 is going to be illegally deprived of.

Petition is rejected with the aforesaid findings.

(Aditya Kumar Trivedi, J)

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