

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21436 of 2012

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Manju Singh wife of Sri Arun Kumar, Resident of Village-Ram Nagar, PS-Bariya, Distt-Buxar at present, Village-Ariyawan, PS-Dumraon, Distt-Buxar.

.... Petitioner/s

Versus

1. Sri Hridya Narayan Singh @ Buchanjee Singh son of Late Harpal Singh,
2. Smt. Pramila Singh W/O Kanhaiya Singh,
3. Smt. Bimla Singh W/O Akash Narayan Singh, all residents of Village-Ariyawan, PS-Dumraon, Distt-Buxar, at present PS-Krishnabramh, Distt-Buxar. Plaintiff/respondent, 1st set
4. Asha Kumari wife of Late Dev Nath Singh
5. Sanjay Singh son of late Dev Nath Singh
6. Vijay Bahadur Singh (minor) son of late Dev Nath Singh under the guardianship of his mother Asha Kumari. all residents of Village-Ariyawan, PS-Dumraon, Distt-Buxar, at present PS-Krishnabramh, Distt-Buxar.

.... Respondent/s 2nd Set

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, -Advocate

For the Respondent no.6 : Mr. Nityanand Mishra, Adv

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 20-01-2016 Heard learned counsel for the petitioner as well as
learned counsel for respondent no.6.

Gone through the order impugned wherefrom it is evident that plaintiff had asked for declaration of title over the suit land detailed under Schedule-II of the plaint. Plaintiff had also prayed for a declaration that sale deed nos.10809, 10810, 10811 and 10812 dated 02.08.1982 executed in favour of Dev Nath Singh to the area of 1 Acre 81 decimals were not acted upon on account of non payment of balance consideration money. Petitioner's sale deed appears to be bearing no.10807, 10808

which happens to be as is evident from Annexure-4 series so placed through supplementary affidavit out of purview of suit and on account thereof, the learned lower court had rightly held that petitioner is not a necessary party.

That being so, the instant petition is found to be devoid of merit and is, accordingly, rejected.

(Aditya Kumar Trivedi, J)

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