

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL MISCELLANEOUS JURISDICTION No.268 of 2016

- =====
1. Endu Devi Wife of Garju Manji, D/O Late Ganga Dushadh
 2. Kashi Nath Manjhi son of Late Raghunandan Manjhi.
 3. Pappu Manjhi son of Kashi Nath Manjhi.
 4. Anita Devi
 5. Sunita Devi
 6. Sangita Kumari
 7. Rangita Kumrai.
 8. Mamta Kumari all Daughter of Kashi Nath Manjhi resident of Mohalla Jangalia P.S. Gopalganj, District- Gopalganj.

.... Appellant/s

Versus

1. Pheku Manjhi Son of Late Motor Manjhi
2. Most. Subhavati Wife of Late Ashok Manjhi
3. Ramesh Manjhi son of Late Ashok Manjhi.
4. Bimli Devi
5. Seema Devi
6. Murti Kumari
7. Umravati Kumari All Daughter of Late Ashok Manjhi
8. Anil Kumar Son of Late Ashok Manjhi
9. Shohrab Mian son of Rahman Mian
10. Manager Sah Son of Ramlal Sah.
11. Harihar Sah son of Satya Narayan Sah.
12. Mosafir Dhobi son of Doma Dhobi All residents of Mohalla Jangalia P.S. Gopalganj Dist Gopalganj.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binay Kumar Singh, Adv.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 20-03-2017



Heard learned counsel for the petitioners. Learned counsel for some of the respondents is present.

By the impugned order, the learned court below has turned down the prayer of the plaintiff-petitioners to implead the transferees from defendant no. 1 and 2 as parties in the suit.

The matrix of facts discloses that the transfer of the part of the suit property has been made by the respondent nos. 1 and 2 in the name of strangers to the co-parcenery and also in the name of the defendant no. 9. The said transfer has been made admittedly during the pendency of the suit. The learned court below in the impugned order has noticed that the suit was at the stage of final argument when three amendment petitions were filed on behalf of the plaintiffs after the conclusion of the argument of the defendant in the suit. This Court has not been persuaded to hold that the impugned order is perverse or illegal in any manner. This Court, therefore, is not inclined to invoke the jurisdiction under Article 227 of the Constitution of India.

The application is, accordingly, dismissed.

(V. Nath, J)

Devendra/-

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CAV DATE	
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