

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.538 of 2016

IN

Civil Writ Jurisdiction Case No. 11409 of 2014

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1. Neelam Choudhary, Wife of Late Umesh Chand Choudhary

2. Kumar Ravi

3. Kumar Rishi

4. Kumar Chandan

5. Kumar Raj Kapoor

All sons of Late Umesh Chand Choudhary, resident of Mohalla- Anathalya Road,
Katihar, P.S.- Katihar, District- Katihar.

.... Petitioner/s

Versus

1. Sanjay Kumar Choudhary

2. Shankar Kumar Choudhary

3. Sanjeev Kumar Choudhary

4. Ajay Kumar Choudhary

sons of Late Satish Chand Choudhary

5. Nutan Devi, Wife of Late Jyotish Chand Choudhary

6. Sanjeeb Kumar Choudhary

7. Dilip Kumar Choudhary

sons of Late Jyotish Chand Choudhary

8. Reena Choudhary

9. Renu Choudhary

10. Babli Choudhary

Daughters of Late Jyotish Chand Choudhary, resident of
Mohalla- Gandhi Nagar, Katihar, P.S.- Katihar, District- Katihar.

11. Madan Lal Choudhary, Son of Late Mahendra Narayan Choudhary

12. Jayanti Choudhary D/o Late Jagdish Chand Choudhary

13. Jayant Kumar Choudhary

14. Jai Kumar Choudhary

15. Jaswant Kumar Choudhary

Sons of Late Jagdish Chand Choudhary, Residents of New Market Katihar, P.S.
Katihar, District- Patna.

16. Sharda Devi, Wife of Late Anand Kishore Choudhary

17. Arbind Kumar Choudhary

18. Arun Kumar Choudhary

Sons of Late Anand Kishore Choudhary, Resident of Village- Jotramroy Via
Gurubazar, P.S.- Barari, District- Katihar.

19. Ramesh Kumar Choudhary, Son of Late Prithwi Chand Choudhary, Resident of
Village- Jotramroy Via Gurubazar, P.S.- Barari, District- Katihar.

20. Ranjeet Kumar Choudhary, Son of Late Rajendra Prasad Choudhary, residents
of Mohalla- Gandhi Nagar, Katihar, P.S.- Katihar, District- Katihar.

21. Ajit Kumar Choudhary

22. Indrajeet Kumar Choudhary

Sons of Late Rajendra Prasad Choudhary,

23. Bijendra Prasad Choudhary

24. Jitendra Prasad Choudhary

Sons of Late Sant Sharan Choudhary, residents of village- Kundi Ghat, P.O.-
Jotramroy Via Guru Bazar, P.S.- Barari, District- Katihar.



.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. J.S. Arora, Sr. Adv.
M/s Manoj Kumar and Gaurav Pratap.

For the Respondent/s

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 01-12-2017

This application has been filed to review the order dated 4th August 2016 passed in C.W.J.C. No. 11409 of 2014 whereby and whereunder the writ application was dismissed granting liberty to the petitioners to raise objection under section 105 of Code Civil Procedure in accordance with law.

2. Heard learned counsels for the petitioners as well as the respondents.

3. It has been submitted that initially the daughter of respondent no. 12 was not on record. She was necessary party to the suit and as per order dated 27.10.2016 the daughter of respondent no.12 has been added as party to the suit. In pursuance of said order, summons has been issued to be served on the substituted defendant and so the stage of suit has changed and the case is now pending for service report. In changed situation the petitioners want to move the learned Court below for adding as many as 47 persons as party to the suit.

4. On perusal of order dated 4th August 2016 passed in



C.W.J.C. No. 11409 of 2014 I find that the petition for impleading 47 persons as party to the suit, has been filed at belated stage. The petitioners were given liberty to raise objection if such occasion arises under section 105 of Code of Civil Procedure in accordance with law. This Court has already considered the submission made earlier by the petitioner while dismissing C.W.J.C. No. 11409 of 2014.

5. In the facts and circumstances, I do not find any merit in the present application for reviewing the said order.

6. This application is, accordingly, dismissed.

(Sanjay Kumar, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	14.12.2017
Transmission Date	

