

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23027 of 2013

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Baliram Dubey Son of Late Bansropan Dubey Resident Of Village -
Maldaha, P.O. Sikror, P.S. Sheosagar, District - Rohtas at Sasaram

.... Petitioner

Versus

1. The State Of Bihar Through the Secretary, Law Department, Bihar, Patna
2. Jamuna Devi Wife of Shri Jai Shankar Pandey Resident of Village - Alampur, P.O. Alampur, P.S. Sheosagar (Baddi) District - Rohtas at Sasaram
3. Lilawati Devi Wife of Shri Sundarshan Pathak Resident Of Village - Dhawpokhar (Kudra), P.S. Karamchat, District - Kaimur at Bhabhua
4. Mithilesh Tiwari Son of Late Lallan Tiwari Resident of Village - Chikhuria, P.O. Mamrejpur, P.S. Chenari, District Rohtas, at Present residing at Mohalla - Bhatarhi, Near Maharshi Shiva Nand Mahavidyalaya, P.S. Sasaram, P.O. Moersarai, District - Rohtas at Sasaram
5. Urmila Devi Wife of Shri Mithilesh Tiwari, resident of Village - Chikhuria, P.O. Mamrejpur, P.S. Chenari, District Rohtas, at present residing at Mohalla - Bhatarhi, Near Maharshi Shiva Nand Mahavidyalaya, P.S. Sasaram, P.O. Moersarai, District - Rohtas at Sasaram
6. Bimla Pandey Son of Late Rajni Kant Pandey Resident of Village - Lutru, P.O. Alampur, P.S. Sheosagar (Baddi) District - Rohtas at Sasaram
7. Mithilesh Pandey, Son of Late Rajni Kant Pandey Resident of Village - Lutru, P.O. Alampur, P.S. Sheosagar (Baddi) District - Rohtas at Sasaram
8. Lalita Devi Wife of Ramanand Dubey Resident of Village - Maldaha, P.O. Sikror, P.S. Sheosagar, District - Rohtas at Sasaram
9. Ram Bachan Mahto @ Ram Bachan Singh Son of Late Bihnu Mahto Resident of Village - Banrasia, P.S. Sasaram, P.O. Moersarai, District - Rohtas

.... Respondents

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Appearance :

For the Petitioner : None
For the Respondents : Standing Counsel-19.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

4 21-11-2017 The defendant no.1 of Title Suit No.70 of 2004 pending
in the Court of Munsif Ist, Sasaram has filed this writ application



for quashing the order dated 03.01.2006 whereby and whereunder the petition filed on behalf of defendant no.9 Ram Bachan Mahto @ Ram Bachan Singh (defendant no.7 before the court below) was allowed and title suit of respondent no.2 (plaintiff) was held abated in view of provision of Section 4(c) of Bihar Consolidation of Holding Act. The plaintiff (respondent no.1) has not assailed the impugned order rather it has been assailed by co-defendant of the said suit. The case was listed for Admission on 02.11.2017 on which date nobody appeared to press this application. The case was called today but nobody appeared on behalf of the petitioner. The Standing Counsel-19 is present for the State of Bihar. It appears that the petitioner has no ceased to have any interest in prosecuting this case.

In the facts and circumstances of this case, this application is accordingly dismissed.

(Sanjay Kumar, J)

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