

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1892 of 2017

=====

1. Awadeshnandan Kumar @ Awadesh Singh S/o Late Inderdeo Singh
2. Mayank Kumar S/o Awadeshnandan Kumar @ Awadesh Singh Both R/o
Village - Karsa, P.O. and P.S. Bikram, District- Patna.

.... Petitioners

Versus

1. Smt. Sweta Singh Daughter of Late Inderdeo Singh R/o Village- Karsa,
P.O. +P.S. - Bikram, District- Patna.

.... Respondents

=====

Appearance :

For the Appellant/s : Mr. Jai Prakash Verma

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 30-07-2018

Heard learned counsel for the petitioners.

The petitioners are the defendants. The petitioners filed this Civil Miscellaneous petition against the order dated 22.09.2017 passed in Title Suit No.65/2008 by learned Sub-Judge, Paliganj, Patna by which learned Sub-Judge, Paliganj, Patna allowed the petition of the sole plaintiff to sale 80 decimals of land of plot no.414, Khata No.58 to meet the expenses of the plaintiff no.2 (now deceased) on her treatment, who was suffering from cancer.

Learned counsel for the petitioners submits that earlier the petition of the petitioners for the same relief was rejected but this fact was concealed. It is further submitted that the plaintiff



could not be able to show the urgency to sale a piece of land.

From perusal of the order itself it appears that the defendants did not object the prayer of the plaintiff on the condition that the defendants may also be allowed to sale the equal portion of the land if any urgency arises in the future.

Taking into consideration the facts aforesaid, I do not find any illegality or jurisdictional error in the order impugned.

Accordingly, this Civil Miscellaneous petition is dismissed.

(Prabhat Kumar Jha, J)

Amit/-

U			
---	--	--	--

