

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.415 of 2019

1. Sunil Kumar, Son of Sri Amar Nath Sah @ Amar Singh, Resident of Makhanpur Chailitand, P.O.-Guljarbagh, P.S.-Alamganj, District-Patna
2. Bhisham Kumar, Son of Sri Amar Nath Sah @ Amar Singh, Resident of Makhanpur Chailitand, P.O.-Guljarbagh, P.S.-Alamganj, District-Patna
3. Dinesh Kumar @ Munna, son of Sri Amar Nath Sah @ Amar Singh, Resident of Makhanpur Chailitand, P.O.-Guljarbagh, P.S.-Alamganj, District-Patna

... .. Applicants-Petitioners

Versus

1. Mostt. Dulari Devi, Widow of late Mishri Gope, Resident of Village-Bigrahpur, P.S.-Jakkanpur, District-Patna.

... .. Plaintiff-Respondent

2. Teka Rai, Son of Late Sheo Charan Rai, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
3. Mahadeo Prasad, Son of Teka Rai, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
4. Sahdeo Prasad, Son of Teka Rai, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
5. Subhash, Son of Mahadeo Prasad, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
6. Pappu, Son of Mahadeo Prasad, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
7. Sadoo, Son of Sahdeo Prasad, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
8. Guddoo, Son of Sahdeo Prasad, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
9. Sri Bhagwan Rai, Son of Late Dahaur Bhagat, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
10. Sri Bhagwat Rai, Son of Late Dahaur Bhagat, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
11. Sri Suraj Rai, Son of Sri Bhagwan Rai, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
12. Sri Sudheshwar Prasad, Son of Sri Bhagwan Rai, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
13. Sri Naresh Prasad, Son of Sri Bhagwan Rai, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
14. Mannu, Son of Sri Suraj Prasad, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
15. Chitu, Son of Sri Naresh Rai, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna



16. Umesh, Son of Sri Bhagwat Rai, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
17. Pintu, Son of Sri Bhagwat Rai, Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna
18. Bittu Son of Sri Bhagwat Rai Resident of Village-Bigrahpur P.S.-Jakkanpur (Phulwari) P.O.-G.P.O., District-Patna

... .. Defendants/Respondents

19. Ramuna Devi, Widow of Late Mutan Prasad, Resident of Village-Rudra Nager P.O.-Goudah Rudra Nager, P.S.-Sahpur, District-Bhojpur
20. Mukteshwar Prasad, Son of Late Mutan Prasad, Resident of Village-Rudra Nager P.O.-Goudah Rudra Nager, P.S.-Sahpur, District-Bhojpur
21. Surendra Prasad, Son of Late Mutan Prasad, Resident of Village-Rudra Nager P.O.-Goudah Rudra Nager, P.S.-Sahpur, District-Bhojpur
22. Birendra Prasad, Son of Late Mutan Prasad, Resident of Village-Rudra Nager P.O.-Goudah Rudra Nager, P.S.-Sahpur, District-Bhojpur
23. Sri Ram Deo Prasad, Son of Sri Ram Ekbal Sahw, Resident of Village-Rudra Nager P.O.-Goudah Rudra Nager, P.S.-Sahpur, District-Bhojpur
24. Sri Prem Chand Prasad, Son of Sri Ram Ekbal Sahw, Resident of Mohalla-Mithapur, P.S.-Jakkanpur, P.O.-G.P.O. District-Patna

... .. Intervener-Respondents

Appearance :

For the Petitioner : Mr. D.K. Sinha, Senior Advocate
Mr. Abhinay Raj, Advocate
For the Respondents : Mr.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 11-07-2019 This application under Article 227 of the Constitution of India has been filed by the petitioners for setting aside the order dated 15.01.2019 passed in Title Suit No.286 of 1985 by the learned Sub Judge-11, Patna rejecting the petition filed by the petitioners under Order 1 Rule 10(2) read with Section 151 of the Code of Civil Procedure.

At the outset, it is submitted by Mr. D.K. Sinha, learned senior advocate appearing for the petitioners that during



pendency of the application, since the suit itself has been decided by the court below, the application has become infructuous.

In view of the submission made above,the application is disposed of.

(Ashwani Kumar Singh, J.)

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