

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVISION No.107 of 2018

In
Miscellaneous Jurisdiction Case No.2203 of 2018

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1. Smt. Lal Mani Devi @ Lal Muni Devi, wife of Laxman Pd. Shah
2. Satrugshan Prasad Sah, son of Late Jagdish Pd. Sah
Both are resident of Bhatta Kali Bari Chowk, P.S. K. Hat (Sahayak)
District Purnea

.... Defendants no. 4 and 5....Petitioners

... ..

Versus

1. Ashok Kumar Prasad, Son of Late Chandra Kishore Prasad, resident of
Bhatta Kali Bari, P.S. K. Hat (Sahayak) District Purnea
... O.P. 1st Party-Plaintiff
2. Laxman Prasad Sah, Son of Jagdish Prasad Sah, resident of Bhatta Kali
Bari, P.S. K. Hat (Sahayak) District Purnea
.... O.P. 2nd Party
3. Indrajeet Mukherjee, Son of Late Narayan Chandra Mukherjee, resident
of Mohalla Bhatta Kali Bari, P.S. K. Hat (Sahayak) District Purnea at
present residing at Hakim Para Siliguri, P.S. Siliguri, District Darjeeling
(West Bengal)
4. Sri Prosanjeet Mukherjee, Son of Late Narayan Chandra Mukherjee and
Smt. Sudha Mukherjee, resident of Mohalla Bhatta Kali Bari, P.S. K. Hat
(Sahayak) District Purnea, at present residing at Hakimpura Siliguri, P.S.
Siliguri, District Darjeeling (West Bengal)
5. Sri Prabhat Mukherjee, Son of Late Hari Bhushan Mukherjee, resident of
16-B - Arabinda Parka, Purbo Kutiyari, 24-Kolkata (W.B.)
.... Opposite 3rd Parties

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 29-03-2019

Heard learned counsel for the petitioners.

2. The petitioners had filed an application before
the learned District Judge, Purnea registered as Miscellaneous
Case No. 16 of 2018 for transfer of Title Suit No. 13 of 2015
from the Court of learned Sub-Judge-III, Purnea to any other
court of Sub-Judge at Purnea. The prayer was refused on



11.06.2018.

3. The impugned order reveals that without discussing the case and claim of the petitioners, the transfer application was dismissed as devoid of any merit.

4. The impugned order apparently reveals non-application of judicial mind, hence, the same stands set aside and the matter is remitted back to the learned Court below to decide the matter, after hearing the parties, with a reasoned order.

5. Accordingly, this application stands disposed of.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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