

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.234 of 2017

Mustari Begum wife of Tipu Sultan, resident of Village and P.O.- Gundi, P.S. Krishnagarh, District- Bhojpur.

... .. Petitioner/s

Versus

1. Wahid Mian
2. Zahid Mian. Both sons of Late Abbas Mian, Residents of Village- Gundi, P.O.- Gundi, P.S. Krishnagarh, District- Bhojpur.
3. Anwar Ali, son of Idrish Mian.
4. Samsad Ali, son of Idrish Mian. Nos. 3 and 4 are residents of Village- Gundi, P.O.- Gundi, P.S. Krishnagarh, District- Bhojpur, PIN- 802313.
5. Ashraf Ali, son of Akbar Ali,
6. Md. Firoj, son of Akbar Ali.
7. Sharwar Ali, son of Akbar Ali.
8. Kausar Ali, son of Akbar Ali,
9. Arshad Ali @ Asrshd Ali, son of Akbar Ali,
10. Afsana Parveen, D/o Akbar Ali.
11. Rukshana Parveen, D/o Akbar Ali.
12. Rehana Parveen, D/o Akbar Ali. Nos. 5 to 12 are residents of Village and P.O.- Gundi, P.S. Krishnagarh, District- Bhojpur, PIN- 802313.
13. Asgari Begum, wife of Safiuddin, resident of Village- Anaith, P.S. Nawada Ara, District- Bhojpur, PIN 802302.
14. Enamuddin, son of Late Nizamuddin, Resident of Village- Chakia, P.S. Ara Mufassil, District- Bhojpur.
15. Shakila Bano, wife of Jamaluddin, Resident of Village- Gola Mohalla, P.S. Ara Town, District- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra Sinha
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 29-01-2019 Heard Mr. Anish Chandra Sinha, the learned counsel appearing on behalf of the petitioner who filed this civil review petition to review the judgment and order dated 27.04.2017, passed in Second Appeal No.103 of 214 by which the appeal of the petitioner has been dismissed on the ground that no substantive question of law is involved and the findings are



returned by both the courts below that the plaintiff-appellant is not entitled to seek partition as the daughters of Himayat Mian, namely, Asbun Nisa, original plaintiff no.1 and Nasima Bano, defendant no.6 executed the sale deed Exts. 'B' and 'B/1' respectively in favour of defendants no.7 and 7(a) and held that the sale deed executed by daughters of Himayat Mian are valid, bona fide and on proper consideration. Mustari Begum, the appellant, daughter of Abbas Mian who happens to be brother of Himayat Mian was originally arrayed as defendant no.5 but after death of Asbun Nisa, plaintiff no.1, transposed as plaintiff no.2 and the court held that Mustari Begum is not entitled to get any partition in the property of Himayat Mian. On such consideration, this Court dismissed the second appeal on 27.04.2017 finding no substantial question of law involved.

After hearing Mr. Anish Chandra Sinha, the learned counsel for the petitioner, I do not find any apparent error on the face of it in the judgment. Accordingly, this civil review petition is dismissed.

(Prabhat Kumar Jha, J)

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