

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL REVIEW No.230 of 2015**  
**Arising out of**  
**FIRST APPEAL No.344 of 1977**  
**Along with**  
**Interlocutory Application No. 8915 of 2015**  
**And**  
**Interlocutory Application No. 2999 of 2017**  
**In**  
**Civil Review No.230 of 2015**

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1. Sheo Dayal Chaudhary
2. Yogendra Chaudhary Son of Late Bachu Chaudhary, All resident of Village Bihari Bujurg, P.S. Guthani, District- Siwan.
3. Haridas Chaudhary
4. Vijay Chaudhary @ Vijay Kumar Yadav
5. Santosh Chaudhary
6. Bhim Chaudhary Sons of Bunni Lal Chaudhary and Late Naina Devi (Daughter of Bachu Chaudhary) All petitioner no.3 to 6 are resident of village- Bisunpur, P.S. Siwan Mufassil District- Siwan
7. Binod Chaudhary
8. Pramod Chaudhary Both sons of Ambika Chaudhary and Late Malti Devi (daughter of Bachu Chaudhary ) All petitioners no.7 and 8 are Resident of village Katahari Bari, P.S. Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

1. Mostt. Saraswati widow of Late Prabhu Nath Chaudhary
2. Bijay Shankar Chaudhary son of Late Prabhu Nath Chaudhary.
3. Gorakh Nath Chaudhary son of Late Bhawani Choudhary
4. Jai Nath Chaudhary son of Late Bhawani Choudhary. All resident of village Kathaura, P.S.- Sikandarpur, District- Balia U.P.
5. Ramesh Chaudhary son of Banka Chaudhary and Late Parmeshwari (D/O Late Bhawani Chaudhary)
6. Awadhesh Chaudhary Son of Banka Chaudhary and Late Parmeshwari (Daughter of Late Bhawani Chaudhary) All respondent no. 5 and 6 are resident of village Mail, P.S. Mail, District Deoriya Uttar Pradesh.
7. Manakiya (Daughter of Late Bhawani Chaudhary) at present of R/o Village- Kathaura, P.S. Sikandarpur, District- Balia, U.P.
8. Chanmati (Daughter of Late Bhawani Chaudhary) Resident of village Kathaura, P.S.- Sikandarpur, District- Balia U.P.
9. Badamia (Daughter of Late Bhawani Chaudhary), Resident of village Kathaura, P.S.- Sikandarpur, District- Balia U.P.
10. Dhanwato Daughter of Late Bhawani Chaudhary (Wife of Surya Chaudhary) Resident of village Kathaura, P.S.- Sikandarpur, District- Balia



U.P.

11. (i) Krishna Kumar Choudhary-son  
(ii) Brajesh Choudhary-son  
(iii) Rajesh Kumar Choudhary-son  
(iv) Jitendra Kumar Choudhary-son  
(v) Upendra Kumar Choudhary-son  
(vi) Satendra Kumar Choudhary-son  
(vii) Sahilendra Kumar Choudhary-son  
(viii) Ramwati Devi, daughter of Late Lachhuman Choudhary, Resident of Vill. Usari, PS Hadhukan, Distt. Balia (UP)  
(ix) Subhwati Devi, daughter of Late Lachhuman Choudhary, Resident of Vill. Mail, PS Hail, Distt. Deoriya (UP)  
(x) Maya Kumar, daughter of Late Lachhuman Choudhary, Resident of Vill. Kothaura, PS Sikandarpur, Distt. Balia (UP)
12. Mostt. Malti @ Malti Devi widow of Late Brij Kishore Chadhary.
13. Munna Son of Late Brij Kishore Chaudhary and Mostt Malti @ Malti Devi.
14. Jawahar Chaudhary son of Late Bishwanath Chaudhary
15. Prabhawati Devi Daughter of Late Bishwanath Chaudhary
16. Parbati Devi Daughter of Late Bishwanath Chaudhary, All respondent no. 11 to 16 are Resident of Village Kathaura, P.S.- Sikandarpur, District- Balia U.P.
17. Bharat Chaudhary, son of Late Harishankar Chaudhary
18. Gopal Chaudhary @ Nand Kishore Chaudhary, Son of Late Harishankar Chaudhary
19. Nand Lal Chaudhary Son of Late Harishankar Chaudhary All respondent no. 17 to 19 are resident of village- Diara Kashidatta P.S.- Darauli, District- Siwan.
20. Phulmati Devi (Daughter of Late Harishankar Chaudhary) Wife of Bir Bahadur Chaudhary respondent no. 20 are resident of Village Nipania, P.O P.S. Sikandarpur District Balia U.P.
21. Bachia Devi (daughter of Late Harishankar Chaudhary) wife of Ram Daras Chaudhary, Resident of village Bihari Bujurg, P.S. Guthani, P.O.- Tenua, District- Siwan.
22. Mostt. Ram Rajia wife of Late Janak Chaudhary
23. Janardan Chaudhary
24. Prem Chand Chaudhary
25. Ravi Shankar Yadav, son of Late Ram Sagar Chaudhary
26. Piyush Yadav son of Late Ramsagar Chaudhary null
27. Sikhu Kumari, son of Late Ramsagar Chaudhary
28. Chunnu Kumari Daughter of Late Ramsagar Chaudhary  
All respondent are grand sons and daughters of Late Janak Chaudhary Leaving under the guardianship of his/her uncle Janardan Chaudhary and all Respondent no 22 to 28 are Resident of Village Bihari Bujurg, P.S. Guthani, District Siwan.



29. Amalawati Devi (Daughter of Late Janak Chaudhary) wife of Late Mahesh Chaudhary, Resident of village Bihari Buzurg, P.S.- Guthani, District Siwan.
30. Ram Chandra Bhagat
31. Harishankar Bhagat
32. Hem Chand Bhagat
33. Moti Chand Bhagat
34. Mostt. Lakhia Daughter of Late Ram Bachan Bhagat @ Bachan Bhagat  
All respondents no 30 to 34 are the sons and daughter of Late Ram Bachan Bhagat @ Bachan Bhagat, Resident of Village Bihari- Bujurg, P.S.- Guthani, District- Siwan.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kamala Kant Tiwary, Advocate  
For the Opposite Party/s :

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL ORDER**

14    22-01-2020                      Learned counsel for the petitioners is present.

2. In view of Interlocutory Application seeking condonation of limitation (IA No. 8915 of 2015) and Interlocutory Application for substitution of the heirs of many of the opposite parties (IA No. 2999 of 2017) having stood dismissed, the Civil Review itself is unfit to proceed. Accordingly, the same stands dismissed.

3. However, it shall be open to the petitioners to take appropriate steps, in accordance with law.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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