

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1705 of 2019

Sanjeet Kumar Singh @ Sanjeet Kumar Son of Late Ram Lagan Singh
Resident of Village- Basauli, Police Station- Rajapakar, P.O.- Vishunpur Titra,
District- Vaishali.

... .. Appellant/s

Versus

1. Shyam Narayan Singh Son of Late Ram Sagar Singh Resident of Village- Basauli, P.O.- Vishunpur Tetar, P.S.- Raja Pakar, District- Vaishali.
2. Ram Narayan Singh Son of Late Ram Sagar Singh Resident of Village- Basauli, P.O.- Vishunpur Tetar, P.S.- Raja Pakar, District- Vaishali.
3. Binda Devi Daughter of Late Ram Sagar Singh Resident of Village- Basauli, P.O.- Vishunpur Tetar, P.S.- Raja Pakar, District- Vaishali.
4. Sunaina Devi Daughter of Late Ram Sagar Singh Resident of Village- Basauli, P.O.- Vishunpur Tetar, P.S.- Raja Pakar, District- Vaishali.
5. Renu Devi Daughter of Late Ram Sagar Singh Resident of Village- Basauli, P.O.- Vishunpur Tetar, P.S.- Raja Pakar, District- Vaishali.
6. Rita Devi Daughter of Late Ram Sagar Singh Resident of Village- Basauli, P.O.- Vishunpur Tetar, P.S.- Raja Pakar, District- Vaishali.
7. Lal Babu Singh Son of Late Ram Lagan Singh Resident of Village- Basauli, P.O.- Vishunpur Tetar, P.S.- Raja Pakar, District- Vaishali.
8. Rambabu Singh Son of Ram Lagan Singh Resident of Village- Basauli, P.O.- Vishunpur Tetar, P.S.- Rajapakar, District- Vaishali.
9. Most. Bedamia Devi Wife of Late Ram Lagan Singh Resident of Village- Basauli, P.O.- Vishunpur Tetar, P.S.- Rajapakar, District- Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Kumar @ Vijay Kr. Singh
For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 09-01-2020

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present petition has been filed for “*setting aside*
the order dated 10.09.2019 passed by the learned District Judge,
Vaishali at Hajipur in Misc. Case No. 39/2019 whereby prayer



under Section 24 of the C.P.C. for transferring the Title Suit No. 16/2006 pending in the Court of the learned 2nd Munsif, Vaishali at Hajipur and the Title-cum-Partition Suit No. 725/2017 pending in the Court of learned Sub Judge-4th both to one Court for hearing and disposal.”

3. Learned counsel for the petitioner submits that the plots of land involved in both suits aforesaid are the same, but the prayer of the petitioner has been illegally rejected. It has been submitted in paras 14 and 15 of the petition that hearing and passing orders in both the suits for the same plot of land may result in inconsistent order and two different suits relating to the same plot of land may frustrate the ends of justice.

4. Having heard learned counsel for the petitioner and on consideration of the materials on record, this Court is not inclined to interfere in the matter. In the impugned order dated 19.09.2019, the learned District Judge has observed, upon perusing the records of both suits, that the two suits are quite different, the relief sought by the plaintiff of the two suits are different, the issues involved in the two suits are quite different and the stages of the two suits are also different. It has therefore been concluded that there is no chance that the two Courts may arrive at two conflicting decisions in respect of the suit land.

5. In the above view of the matter, this Court finds no infirmity or illegality in the impugned order passed by the



learned District Judge. The petition is devoid of merit and stands dismissed.

(Vikash Jain, J)

Chandran/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.01.2020
Transmission Date	NA

