

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2935 of 2018

In
Miscellaneous Appeal No.1182 of 2016

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1. Most. Kamla Kuer wife of Late Banarsi Upadhyaya, Resident of Village-Jonhi (old), Jaraha (New), P.S. Sasaram (now Tilouthu), District-Shahabad (Now Rohtas).
 2. Mukhdeo Upadhyaya, son of late Mahesh Upadhyaya Resident of Village-Jonhi (old), Jaraha (New), P.S. Sasaram (now Tilouthu), District-Shahabad (Now Rohtas).
 3. Dharmu Upadhyaya, son of late Mahesh Upadhyaya Resident of Village-Jonhi (old), Jaraha (New), P.S. Sasaram (now Tilouthu), District-Shahabad (Now Rohtas).
 4. Most. Sheopati Keur, W/o Late Naresh Upadhyaya, Resident of Village-Jonhi (old), Jaraha (New), P.S. Sasaram (now Tilouthu), District-Shahabad (Now Rohtas).

... .. Petitioner/s

Versus

1. Mahesh Singh Yadav, S/o Rupa Singh Yadav Resident of Village-Jainagar, P.S.- Sasaram, District-Shahabad at present Rohtas.
2. Modnath Singh Yadav (Now dead substitution filed but not take up) son of Late Dhari Singh Resident of Village-Jainagar, P.S.- Sasaram, District-Shahabad at present Rohtas.
3. Jiut Singh Yadav (Now dead substitution filed but not taken up) son of Late Dhari Singh Resident of Village-Jainagar, P.S.- Sasaram, District-Shahabad at present Rohtas.
4. Bishwanath Singh Minor (Now aged about 55 years, became Major), son of Late Dhari Singh Resident of Village-Jainagar, P.S.- Sasaram, District-Shahabad at present Rohtas.
5. Mahendra Singh Yadav minor son of Sheo Singh (Now Major aged about 60 years), Resident of Village-Jainagar, P.S.- Sasaram, District-Shahabad at present Rohtas Resident of Village-Jainagar, P.S.- Sasaram, District-Shahabad at present Rohtas.
6. Khobhari Singh, son of Late Kuer Singh, resident of Sasaram, Ward no. 18, Mohalla Zani Ke Bazar.



7. Prem Singhson of Late Kuer Singh, resident of Sasaram, Ward no. 18, Mohalla Zani Ke Bazar.
8. Jokhu Singh, son of Late Kher Singh, resident of Sasaram, Ward no. 18, Mohalla Zani Ke Bazar.
9. Mana Singh, son of Late Kher Singh, resident of Sasaram, Ward no. 18, Mohalla Zani Ke Bazar.
10. Bacha (Child) name not known son of not known, under the guardianship of Shree Ashok Bihari Singh, Advocate, who has been wrongly described in the decree as under the guardianship of Kuer Singh.
11. Bela Singh, son of Late Paran Singh, resident of Sasaram, Ward no. 18, Mohalla Zani Ke Bazar.
12. Satnarain Singh, son of Late Paran Singh, resident of Sasaram, Ward no. 18, Mohalla Zani Ke Bazar.
- 13(a). Ram Gahan Singh, son of Late Chhathi Ahir @ Singh, Resident of Village-Jainagara, P.O.-Tilauthu, P.S.- Sasaram, District- Shahabad (now Rohtas).
- 13(b). Hiralal Singh, Son of Deoki Nandar, Resident of Village-Jainagara, P.O.-Tilauthu, P.S.- Sasaram, District- Shahabad (now Rohtas).
- 13(c). Sherbahadur Singh, son of Deoki Nandan Singh, Resident of Village-Jainagara, P.O.-Tilauthu, P.S.- Sasaram, District- Shahabad (now Rohtas).
14. Rajdeo Ahir, Son of late Musafir Ahir, Resident of Village-Jainagara, P.O.-Tilauthu, P.S.- Sasaram, District- Shahabad (now Rohtas).
15. Bhikhar Singh (Now dead) Son of late Deu Ahir, Resident of Village-Jainagara, P.O.-Tilauthu, P.S.- Sasaram, District- Shahabad (now Rohtas).
16. Smt. Saraswati Devi, Daughter Sukhnandan Upadhya, Wife of Ram Naresh Dewedi, Resident of village- Tilauthu, P.S. Sasaram Now Tilauthu, District-Sahabad (Now Rohtas.)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Krishna, Advocate
For the Opposite Party/s :

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 17-11-2021

The instant application has been filed for



restoration and re-admission of S.A. No. 503 of 1988, which stood dismissed by a co-ordinate Bench of this Court vide order dated 03.08.2012.

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to file a fresh petition on the same and subsequent cause of action, should the need so arises subsequently.

Permission granted.

The instant petition stands disposed of as withdrawn with the liberty aforesaid.

(Sanjay Karol, CJ)

PKP/Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	20.11.2021
Transmission Date	

