

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL MISCELLANEOUS JURISDICTION No.741 of 2018**

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Ram Dayal Verma @ Ram Dayal Singh, Son of Late Ragho Mahto, Resident of Village- Dharhara, P.S.- Paliganj, District- Patna.

... .. Petitioner/s

Versus

1. Shashi Shakti Dhari Singh, Son of Late Praveen Dhari Singh, Resident of Shish Mahal, Dharhara, P.S.- Paliganj, District- Patna, at present residing at Flat No. 401 Neel Giri Apartment, Boring Canal Road West, P.S.- Srikrishnapuri, District- Patna.
2. Bajrang Bali Sharma, Son of Sri Vijay Sharma, Resident of Village- Balipakar, P.S.- Paliganj, District- Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Bhagat, Advocate  
For the Respondent/s : Mr. Indrajesh Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

3      07-04-2021                      Heard learned counsel for the petitioner and the respondents.

Vide order dated 06.12.2018, a Co-ordinate Bench of this Court stayed further proceedings of Title Suit No. 358 of 2014 in view of the fact that the order rejecting the claim of the petitioner to cross-examine the plaintiff on account of filing of certified copy of the sale deed and its Hindi Translation on 11.04.2017 will cause prejudice to the case of the petitioner. The amendment petition was filed on 20.09.2017.

The Court noticed that the Hindi version of the sale deed was filed on 11.04.2017 and if the plaintiff is not cross-examined, it will cause prejudice to the petitioner/defendant in the suit.



Learned counsel appearing on behalf of the respondent/plaintiff fairly conceded that the present application may be allowed so that the pending title suit may be disposed of at the earliest.

In view of the fact that the translated copy of sale deed dated 17.10.1938 was filed on 11.04.2017, the Court is constrained to allow the writ application and direct the court below to allow the petitioner/defendant to cross-examine the respondent/plaintiff and thereafter decide Title Suit No. 358 of 2014 at the earliest.

With the aforesaid, the writ application is allowed and disposed of.

**(Anil Kumar Upadhyay, J)**

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