

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1251 of 2018

1. Madhulika Sinha @ Madhulika Wife of Ranjit Singh, Daughter of Sri Lallan Prasad Sinha, C-Phase 1/518 Chitrakoot, Vaishali Nagar, Jaipur-302021 Rajasthan.
2. Geetanjali Sinha, Wife of Mr. Mukul Sinha, Daughter of Sri Lallan Prasad Sinha, Flat No. D-4 Shaman Vihar Apartment, Plot No.9 Sector 23 Dwarika, New Delhi- 110075 Near Vardhaman Mall and Basawa International School.
3. Dr. Somya Sinha, Wife of Dr. Punit, Daughter of Sri Lallan Prasad Sinha, Residing at 331/F Block SRMSIMS, Naimtal Road, P.O.- Bhapura Bareilly 243202 UP.

... .. Petitioner/s

Versus

1. Vijayant Sinha @ Gaurav Son of Sri Anil Prakash Sinha, Resident of Rajeev Sadan, 67E, Road No.11F Rajendra Nagar, P.S.- Kadamkuan, District-Patna.
- 2.1. Most. Neel Kamal Sinha Wife of Late Sri Lallan Prasad Sinha resident of Rajiv Sadan, 67E, Road No. 11F, Rajendra Nagar, P.S. Kadamkuan, District - Patna.
- 3.1. Smt. Nita Sinha widow of Late Anil Prakash Sinha, Resident of Rajeev Sadan, 67E, Road No. 11F, Rajendra Nagar, P.S. Kadamkuan, District - Patna.
- 3.2. Smt. (Dr.) Vijita Sinha (Chaudhary) daughter of Late Anil Prakash Sinha Resident of Rajeev Sadan, 67E, Road No. 11F, Rajendra Nagar, P.S. Kadamkuan, District - Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kishore Verma
For the Respondent/s : Mr.Gouranga Chatterjee

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 01-12-2022 The petitioners are aggrieved by the order dated 23.06.2018 passed in Title Suit No. 5 of 2018 by which their application for impleading them as caveators has been rejected.

Learned counsel for the petitioners submits that the father of the petitioners was already a party as an Objector in



Probate Case No. 32 of 2017 and after his death the petitioners have been substituted as NR / Objectors.

The limited prayer of the petitioners is that the petitioners may be acknowledged as NR / Objectors in their personal / independent capacity also.

Mr. Gaurang Chatterjee, learned senior counsel for respondent no. 1 and Mr. Shivendra Kumar Sinha, learned counsel for the respondent no. 3 do not have any objection to the aforesaid prayer of the petitioners.

Accordingly, with the consent of the parties, the impugned order dated 23 / 06 / 2018 passed in Title Suit No. 05 of 2018 is set aside and the petitioners are ordered to be acknowledged as NR- Objectors in their personal capacity in Probate Case No. 32 of 2017.

By the order dated 12-02-2018 passed in Civil Miscellaneous No. 30 / 2018 this Court had directed the learned District Court to dispose of all the three cases i.e. Probate Case No. 32 / 2017 converted to Title Suit No. 5 / 2018, Probate Case No. 152 / 2016 converted to Title Suit No. 31 / 2017 and Probate Case No. 31 / 2017 converted to Title Suit No. 4 / 2018 within a period of one year.

In view of the previous order of this court the further prayer of both the learned



counsel is that the learned Additional District Judge – X, Patna before whom all the cases are pending may be directed to dispose the same within a reasonable time frame.

In view of the aforesaid submission and in view of the fact that earlier this Court had directed for disposal of all the cases within one year, I direct the Additional District Judge-X, Patna to dispose the aforesaid cases within a period of nine months from the date of receipt / production of a copy of this order.

It is made clear no unnecessary adjournments shall be given to either of the parties.

Accordingly, this application is disposed of.

(Anil Kumar Sinha, J)

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