

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.337 of 2020

1. Gajadhar Mishra Son of Late Bilat Mishra Resident of Village Belahi Nilkanth, PS- Runni Saidpur, Dist- Sitamarhi.
2. Kumar Dhananjay alias Manoj Kumar Mishra Son of Sri Gajadhar Mishra Resident of Village Belahi Nilkanth, PS- Runni Saidpur, Dist- Sitamarhi.

... .. Petitioner/s

Versus

1. Most. Mira Devi Wife of Late Ramadhar Mishra Resident of Village and PO- Belahi Nilkanth, PS- Runni Saidpur, Dist- Sitamarhi.
2. Baliram Mishra Son of Late Ramadhar Mishra Resident of Village and PO- Belahi Nilkanth, PS- Runni Saidpur, Dist- Sitamarhi.
3. Most Bachhi Devi Wife of Late Devendra Mishra Resident of Village and PO- Belahi Nilkanth, PS- Runni Saidpur, Dist- Sitamarhi.
4. Mritunjay Mishra Son of Late Devendra Mishra Resident of Village and PO- Belahi Nilkanth, PS- Runni Saidpur, Dist- Sitamarhi.
5. Sanjay Mishra Son of Late Devendra Mishra Resident of Village and PO- Belahi Nilkanth, PS- Runni Saidpur, Dist- Sitamarhi.
6. Mahendra Mishra Son of Late Bilat Mishra Resident of Village and PO- Belahi Nilkanth, PS- Runni Saidpur, Dist- Sitamarhi.
7. Mithlesh Kumari Daughter of Late Nageshwar Mishra and Wife of Sri Harishankar Singh Resident of Village Gaurigama, PO- Mananpur Morsand, PS- Runni Saidpur, Dist- Sitamarhi.
8. Kanti Kumari Daughter of Late Nageshwar Mishra and Wife of Sri Ramashankar Singh Resident of Village and PO- Chandauli, PS- Belsand, Dist- Sitamarhi.
9. Sonu Kumari Daughter of Late Ramadhar Mishra and Wife of Sri Mukesh Kumar alias Munna Resident of Indira Nagar, PO, PS and Dist- Sitamarhi.
10. Manisha Kumari alias Moni Daughter of Late Ramadhar Mishra and Wife of Sri Sanjiv Kumar Chaudhary Resident of Village Barari Behta, PS- Pupari, Dist- Sitamarhi.
11. Punam Kumari Daughter of Late Ramadhar Mishra and Wife of Sri Dipak Kumar Resident of Village Kachhua, PO- Chakauti, PS- Jale, Dist- Darbhanga.
12. Smt Indira Kumari Daughter of Late Devendra Mishra and Wife of Sri Ashwamedh Singh Resident of Village Bagahi, PO- Ramnagar, PS- Runni Saidpur, Dist- Sitamarhi.
13. Smt. Ratnabali Kumari Daughter of Late Devendra Mishra and Wife of Sri Shyam Babu Prasad Singh Resident of Village and PO- Harnahiya, PS and Dist- Sitamarhi.

... .. Respondent/s

Appearance :



For the Petitioner/s : Mr.Vaidehi Raman Prasad Singh
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 11-04-2022 Heard the learned counsel for the petitioners.

The petitioners were plaintiffs in Title Suit No.408 of 2012 pending in the court of Sub Judge-VII- Sitamarhi.

A petition filed by the petitioners in the court below on 2nd July, 2019 was rejected by the impugned order dated 07.01.2020. By the above-mentioned petition, the plaintiffs/petitioners made a prayer before the court below to reopen their evidence which was closed without examining the plaintiffs themselves. The learned court below has mentioned in its order that the issue was settled on 01.12.2016. Thereafter, the case was fixed for plaintiffs' evidence. The case record reflects that thereafter the plaintiffs were provided ample opportunities for evidence almost on 16 dates. Despite the ample opportunities given to the plaintiffs, they did not conclude their evidence. Even they failed to pay the cost imposed by the court below.

From the impugned order, it appears that more than sufficient opportunities have already been provided to the plaintiffs/petitioners by the court below.

I do not see any reason to interfere with impugned



order. Accordingly, this civil miscellaneous application is dismissed.

(Nawneet Kumar Pandey, J)

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