

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.174 of 2022

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Maya Devi, Wife of Prem Kumar, Resident of Village - Sankerwar Tola, P.S. -
Mokama, District - Patna.

... .. Petitioner/s

Versus

1. Peyari Devi, Wife of Kameshwar Prasad, Resident of Village Ghoswari, P.S.
- Ghoswari, District - Patna.
2. Kunti Devi, Wife of Krishna Nandan Lal, Resident of Ram Charan Tola, P.S.
- Mokama, District - Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-06-2022 Heard learned Counsel for the petitioner.

The petitioner is aggrieved by the order, dated 12.09.2018, passed by learned Munsif, Barh, in Title Eviction Suit No. 01 of 2009, by which the learned Court below has dismissed the application filed by the petitioner under Order I Rule 10 of the C.P.C. for impleading her as a party-defendant in the suit.

Learned Counsel for the petitioner submits that the suit for eviction was filed in the year 2009 against the respondents-defendants-2nd set and during the pendency of the suit, the title holder of the suit land and the house standing over it sold the same in favour of the petitioner on 23.07.2016 and on that basis, the petitioner has filed the application for impleading



her as party-defendant on 17.08.2017, claiming title over the suit land.

I have heard learned Counsel for the petitioner and have gone through the impugned order. It appears that the petitioner wants to be added as party-defendant in the eviction suit claiming title. The learned Court below has rightly come to the conclusion that title cannot be adjudicated in the eviction suit and has rejected the application filed by the petitioner under Order I Rule 10 (2) of the C.P.C.

I find no infirmity in the order impugned and in my opinion, the learned Court below has not committed any material irregularity and/or jurisdictional error while rejecting the application of the petitioner.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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