

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.528 of 2022

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Mohan Thakur Son of Late Harihar Thakur, Resident of Vill and Post -
Sahpur Undi, P.S. - Patori, Distt, Samastipur.

... .. Petitioner/s

Versus

1. Must. Meghiya Devi Wife of Ram Vilash Ram Resident of Vill. - Lawapur,
P.S. - Mahnar, Distt. - Vaishali.
2. Mahesh Ram, Son of Late Ram Vilash Ram, Resident of Vill. - Lawapur,
P.S. - Mahnar, Distt. - Vaishali.
3. Savita Devi Wife of Shri Devendra, daughter of Late Ram Vilash Ram,
Resident of Vill. - Lawapur, P.S. - Mahnar, Distt. - Vaishali.
4. Smt. Sita Devi Wife of Mandesh Kumar Resident of Vill. - Bhaua, P.S. -
Patori, Distt. - Samastipur.
5. Shri Mahendra Narayan Singh, Son of Late Yadunandan Singh, Resident of
Vill. - Naya Nagar, P.S. - Hasanpur, Distt. - Samastipur.
6. Deputy Development Commissioner, Cum Chief Executive Officer,
Samastipur.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-11-2022 Heard learned Counsel for the petitioner.

The petitioner claims to be the Mukhiya of the village.

He has filed a petition, under Order I Rule 10 (2) of the Code of Civil Procedure for his impleadment as defendant in Title Suit No. 110 of 2016 on the ground that the plaintiff and the defendants of the suit filed a collusive suit for declaration of title with regard to Gair Mazarua Aam land, for which sale deed was executed in favour of respondent no. 4 by respondent no. 5 (defendants in the suit).



The learned Court below, taking into consideration, that Zila Parishad has already been made party in the suit and the petitioner has himself stated that the disputed land belongs to the Zila Parishad, refused to allow him to be added as defendant in the suit under Order I Rule 10 (2) of the Code of Civil Procedure.

In view of the fact that the petitioner has claimed that the suit land belongs to the Zila Parishad and the Zila Parishad has already been added as party in the suit, I do not find any illegality in the order, dated 25.03.2022, passed in Title Suit No. 110 of 2016, by learned Sub Judge-I, Shahpur Patori, Samastipur, by which the petition for impleadment of the petitioner as defendant in the suit being Mukhiya of the village has been rejected.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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