

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.707 of 2022

Md. Afsar Imam Son of Late Abdul Majeed @ Mohammad Matin, Resident of Village- Nohsa, P.S. Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

1. Shamimul Haque Son of Mumtazul Haque, Resident of Village- Nohsa, P.O. and P.S. Phulwarisharif, District- Patna, (Power of Attorney Holder of (i) Mumtazul Haque, (ii) Ekramul Haque, (iii) Nazamul Haque, Son of Late Wasiul Haque, (iv) Arshe Ala, Resident of Village- Nohsa, P.O. and P.S. Phulwarisharif, District- Patna, Son of Late Samiul Haque. Vide registered power no. 76 dated 20.10.2017.
2. Mahtab Alam Son of Late Samiul Haque, Resident of Village- Nohsa, P.O. and P.S. Phulwarisharif, District- Patna, (Power of Attorney Holder of (i) Mumtazul Haque, (ii) Ekramul Haque, (iii) Nazamul Haque, Son of Late Wasiul Haque, (iv) Arshe Ala, Resident of Village- Nohsa, P.O. and P.S. Phulwarisharif, District- Patna, Son of Late Samiul Haque. Vide registered power no. 76 dated 20.10.2017.
3. Lal Babu Son of Late Dularchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna, at present residing at Mohalla- Chonauti Kaun, New Devi Asthan, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
4. Umesh Son of Late Dularchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna, at present residing at Mohalla- Chonauti Kaun, New Devi Asthan, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
5. Dilip Son of Late Dularchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna, at present residing at Mohalla- Chonauti Kaun, New Devi Asthan, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
6. Rama Devi Wife of Late Gulabchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
7. Arun Kumar Son of Late Gulabchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
8. Pradeep Kumar Son of Late Gulabchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
9. Pramod Kumar Son of Late Gulabchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
10. Ranjeet Kumar Son of Late Gulabchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
11. Santosh Kumar Son of Late Gulabchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
12. Veena Devi D/o Late Gulabchand Saw, W/o Ramesh Kumar, Resident of Village- Naubatpur, P.S. Naubatpur, District- Patna.
13. Bablu Saw Son of Late Gyanchand Saw, Resident of Mauza Nohsa, P.S.



Phulwarisharif, District- Patna.

14. Dablu Saw Son of Late Gyanchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
15. Pinki Kumar D/o Late Gyanchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
16. Rekha Kumar D/o Late Gyanchand Saw, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
17. Dhyanchand Saw Son of Late Sheo Govind Saw, All resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna, at present Mohalla- Chonauti Kuan, P.S. Phulwarisharif, District Patna.
18. Najma Khatoon W/o Late Md. Tajuddin, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
19. Bibi Naushaba W/o Wasiur Rab, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
20. Bibi Sufiya, W/o Shaukat Heyat, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
21. Sheo Prasad Son of Late Jaggu Pandit, Resident of Mauza Nausah, P.S. Phulwarisharif, District- Patna.
22. Guru Prasad Son of Late Jaggu Pandit, Resident of Mauza Nausah, P.S. Phulwarisharif, District- Patna.
23. Bibi Qudsiya @ Talat Khatoon W/o Md. Khalid, Resident of Mauza Nausah, P.S. Phulwarisharif, District- Patna.
24. Md. Khalid Son of Late Naimul Haque, Resident of Mauza Nausah, P.S. Phulwarisharif, District- Patna.
25. Yogendra Rai Son of Late Muneshwar Rai, Resident of Village- Bocha Chak, P.S. Phulwarisharif, District- Patna.
26. Kishori Rai Son of Late Muneshwar Rai, Resident of Village- Bocha Chak, P.S. Phulwarisharif, District- Patna.
27. Bhuneshwar Rai Son of Late Bhaulal Rai, Resident of Village- Bocha Chak, P.S. Phulwarisharif, District- Patna.
28. Dasrath Rai Son of Late Nazir Rai, Resident of Village- Bocha Chak, P.S. Phulwarisharif, District- Patna.
29. Nanhki Rai Son of Late Nazir Rai, Resident of Village- Bocha Chak, P.S. Phulwarisharif, District- Patna.
30. Md. Mustafa Khan Son of Late Ghani Khan, Resident of Naya Tola, Pathan Toli, P.S. Phulwarisharif, District- Patna.
31. Kausar Khan Son of Late Yusuf Khan,, Resident of Village- Nayatola, Naharper, P.S. Phulwarisharif, District- Patna.
32. Kameshwar Rai Son of Rameshwar Rai, Resident of Mohalla- Rai Colony, (Nayatola), Nohsa, P.S. Phulwarisharif, District- Patna.
33. Dhaneshwar Rai Son of Rameshwar Rai, Resident of Mohalla- Rai Colony, (Nayatola), Nohsa, P.S. Phulwarisharif, District- Patna.
34. Hamid Hassan Sonof Ali Bux Resident of not known.



35. Naima Gauhar Wife of Md. Shaukat, Resident of Royal Residency, Samanpura, Raja Bazar, Patna.
36. Ejaz Ahmad, Son of Izhar Alam, Resident of Nohsa, P.S. Phulwarisharif, District- Patna.
37. Md. Naseem Son of Late Md. Yasin, Resident of Ishapur, P.S.- Phulwarisharif, District- Patna.,
38. Md. Ashraf Son of Late Shafirul Haque, Resident of Paharpur Police Colony, Anishabad, P.S.- Phulwarisharif, District- Patna.
39. Md. Nizam Son of Late Shafirul Haque, Resident of Paharpur Police Colony, Anishabad, P.S.- Phulwarisharif, District- Patna.
40. Md. Irsad Son of Late Shafirul Haque, Resident of Paharpur Police Colony, Anishabad, P.S.- Phulwarisharif, District- Patna.
41. Md. Omairul Haque Son of Late Ainul Haque, Resident of Mohalla- Nayatola, P.S. Phulwarisharif, District- Patna.
42. Md. Obaidul Haque Son of Late Ainul Haque, Resident of Mohalla- Nayatola, P.S. Phulwarisharif, District- Patna.
43. Md. Amadul Haque Son of Late Ainul Haque, Resident of Mohalla- Nayatola, P.S. Phulwarisharif, District- Patna.
44. Md. Azharul Haque Son of Late Ainul Haque, Resident of Mohalla- Nayatola, P.S. Phulwarisharif, District- Patna.
45. Md. Ozairul Haque Son of Late Ainul Haque, Resident of Mohalla- Nayatola, P.S. Phulwarisharif, District- Patna.
46. Azra Khalid Wife of Khalid Ahmad, Resident of Village- Nabinagar, P.S. Nabinagar, District- Patna.
47. Arfa Bano Wife of Masood Alam, Resident of Mohalla- Millat Colony, P.S.- Phulwarisharif, District- Patna.
48. Ayesha Bano Wife of Fazle Sami, Resident of Mohalla- Kabir Mohalla, P.S. Aurangabad, District- Aurangabad.
49. Md. Mokhtar Alam Son of Late Abdul Majeed @ Mohammad Matin, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
50. Md. Ali Imam Son of Late Abdul Majeed @ Mohammad Matin, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
51. Md. Tanvir Alam Son of Late Abdul Majeed @ Mohammad Matin, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
52. Md. Shabbir Alam Son of Late Abdul Majeed @ Mohammad Matin, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
53. Md. Sabrez Alam Son of Late Abdul Majeed @ Mohammad Matin, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
54. Md. Akib Alam Son of Late Abdul Majeed @ Mohammad Matin, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
55. Khurshida Bano D/o Late Abdul Majeed @ Mohammad Matin, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.



56. Rizwana Khatoon D/o Late Abdul Majeed @ Mohammad Matin, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
57. Sabina Khatoon D/o Late Abdul Majeed @ Mohammad Matin, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
58. Faizi Hassan Son of Late Ghulam Haider @ Haider Ali, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
59. Adil Hassan Son of Late Ghulam Haider @ Haider Ali, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
60. Md. Hassan Son of Late Ghulam Haider @ Haider Ali, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
61. Arzu Hassan D/o Late Ghulam Haider @ Haider Ali, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
62. Nusrat Praween @ Sahani W/o Kamaluddin, D/o Late Ghulam Haider @ Haider Ali, Resident of Mauza- Nohsa, Phulwarisharif, P.S. Phulwarisharif, District- Patna.
63. Anwer Alam Son of Late Syed Alam, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
64. Sikandar Alam Son of Late Jahanu Alam, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
65. Monu Alam Son of Late Jahanu Alam, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
66. Md. Kallu Son of Late Jahanu Alam, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
67. Mister Alam Son of Late Jahanu Alam, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
68. Saddam Alam Son of Late Jahanu Alam, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
69. Homa D/o Late Jahanu Alam, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
70. Soni D/o Late Jahanu Alam, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
71. Shakil Ahmad Son of Late Allahwadi, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.
72. Wali Ahmad Son of Late Allahwadi, Resident of Mauza Nohsa, P.S. Phulwarisharif, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER



2 23-11-2022 After some argument, learned counsel for the petitioner seeks permission to withdraw this application with liberty to pursue the Title Suit No. 482 of 2006 in accordance with law and any finding arrived at by the trial court in the impugned order dated 14.02.2022 may not prejudice the petitioner -plaintiff during the course of the trial.

Permission is granted.

Accordingly, this application stands dismissed as withdrawn with the aforesaid liberty.

(Anil Kumar Sinha, J)

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