

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.843 of 2022

1. Baldeo Mukhiya Son of Late Bihari Mukhiya, Resident of Village Madanpur, Dhangar, P.S. Parsauni, District Sitamarhi.
2. Sipahi Mukhiya Son of Late Ramgovind Mukhiya, Resident of Village Madanpur, Dhangar, P.S. Parsauni, District Sitamarhi.
3. Police Mikhiya Son of Late Ramgovind Mukhiya, Resident of Village Madanpur, Dhangar, P.S. Parsauni, District Sitamarhi.
4. Niranjana Mukhiya Son of Late Ramgovind Mukhiya, Resident of Village Madanpur, Dhangar, P.S.- Parsauni, District Sitamarhi.

... .. Petitioner/s

Versus

1. Anil Kumar Singh @ Chuman Singh Son of Late Bhuneshwar Prasad Singh, Resident of Village Madanpur, Dhangar, P.S. Parsauni, District Sitamarhi.
2. Mithilesh Kumar Singh @ Mukund Singh, Son of Late Bhuneshwar Prasad Singh, Resident of Village Madanpur, Dhangar, P.S. Parsauni, District Sitamarhi.
3. Brajendra Singh @ Dipu Singh Son of Late Bhuneshwar Prasad Singh, Resident of Village Madanpur, Dhangar, P.S. Parsauni, District Sitamarhi.
4. Asha Devi D/o Late Bhuneshwar Prasad Singh, W/o Devendra Thakur, Resident of Village- Patedhi Madanpur, P.S. Parsauni, District Sitamarhi, At present Resident of Village- Shauhari Brahmpura, P.S. Jale, District- Darbhanga.
5. Neera Singh D/o Late Bhuneshwar Prasad Singh, W/o Late Ravindra Kumar Singh, Resident of Village- Keshari Nursing Home, Ratu Road, Ranchi (Jharkhand).
6. Gonaaur Raut Son of Late Biltu Raut, Resident of Village Madanpur, Dhangar, P.S. Parsauni, District Sitamarhi.
7. Padarath Raut Son of Late Biltu Raut, Resident of Village Madanpur, Dhangar, P.S. Parsauni, District Sitamarhi.
8. Sitaram Raut Son of Late Sogarath Raut, Resident of Village Madanpur, Dhangar, P.S. Parsauni, District Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur Mr. Subodh Kumar
For the Respondent/s	:	Mr. P. N. Shahi, Sr. Adv. Mr. Alok Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-12-2022

Heard learned Counsel for the parties concerned.



The petitioners are plaintiffs in Title Suit No. 07 of 2007 and are aggrieved by the order, dated 20.07.2022, passed by learned Sub Judge, Belsand, Sitamarhi, by which the learned Trial Court has rejected the petition filed by the petitioners on 13.12.2021 bringing on record two documents by way of documentary piece of evidence for exhibiting the same. The first document is the search report, obtained from the Registry Office, issued on 28.04.2006, and the second is for calling of the registration register of 1987 from the Muzaffarpur Registry Office.

At the outset, learned Counsel for the petitioners submits that the petitioners forego his prayer for calling the registration register from the Muzaffarpur Registry Office regarding the registration of sale deed of the year 1897. However, learned Counsel for the petitioners submits that the search report, which has been obtained by the petitioners from the Registry Office on 28.04.2006, is relevant and in the interest of justice, if it is exhibited, the same will not cause any prejudice to the defendants-respondents. He next submits that the petitioners will not lead any further evidence on this point and at the time of getting the same exhibited, the defendants-respondents will have the liberty of rebuttal also.



Admittedly, the evidence of the defendants-respondents has come to an end, the argument of the defendants has also been closed and the argument on behalf of the plaintiffs has not yet started.

Taking into consideration the nature of dispute and the fact that the document, which the petitioners are intending to bring on record is the certified copy issued by the public authority, in the ends of justice, this prayer of the petitioners is allowed and the learned Trial Court is directed to exhibit the certified copy of search report, obtained from the Registry Office, issued on 28.04.2006, in accordance with law with chance of rebuttal to the defendants-respondents.

This application is, accordingly, allowed in part, to the extent indicated above.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓		
---	---	--	--

