

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.254 of 2018

Vijay Kumar Seth and Vijay Kumar Son of Late Ramji Seth, Village-
Mohania Kali Sthan Railway Maal Godam Ke Pass, P.O.- Dadwa, P.S.-
Mohania, District- Kaimur.

... .. Petitioner/s

Versus

1. Dr. Virendra Kumar Seth Son of Late Ramji Seth, Village- Mohania Kali
Sthan Railway Maal Godam Ke Pass, P.O.- Dadwa, P.S.- Mohania, District-
Kaimur.
2. Chamela Kunwar, W/o Late Ramji Seth, Village- Neoras P.S.- Kudra,
District- Kaimur.
3. Rameshwar Sah,
4. Kameshwar Sah,
5. Parmeshwar Sah,
6. Arvind Sah, All sons of Gopi Chand Sah, null
7. Gopi Chand Sah, S/o Late Basudev Sah, All resident of Barej, P.S.-
Mohania, District- Kaimur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Sahay, Adv.
For the Respondent/s : Mr. Om Prakash Upadhyay, Adv

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-08-2022 Heard the parties.

2. With consent of the parties, the order dated
08.01.2018 passed by Sub Judge-VII, Bhabhua is set aside and
the court below is directed to allow the petitioner who is
plaintiff no.2 to depose as plaintiff witness in the suit.

3. It is made clear that this order is being passed with
the consent of the parties and in the interest of early disposal of
the suit. The petitioner is granted a period of 1 and ½ months



for his examination and cross-examination in the suit by way of last chance. It is also made clear that if the petitioner does not get himself examined as witness within the aforesaid period, he shall be treated to be discharged as a witness.

The suit is for setting aside the sale-deed executed by the mother of the plaintiffs no.1 and 2 in favour of stranger.

4. Learned counsel for the parties agree that the evidence of both the parties have come to an end and the suit is at argument stage.

5. In view of the aforesaid, learned trial court is requested to dispose the suit finally within a period of six months after the closure of the evidence of plaintiff no.2.

6. With the aforesaid observation and direction, the petition is disposed of.

(Anil Kumar Sinha, J)

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