

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6974 of 2017

Abdul Hafiz Miyan Son of Late Suleman Miyan Resident of Village-Santha,
P.O.-Naraon, P.S.-Awatar Nagar, Distirct-Saran.

... .. Petitioner/s

Versus

1. The Registrar General, Patna High Court, Patna
2. The District Judge, Civil Court, Saran at Chapra.
3. The Registrar, Civil Court, Saran at Chapra.
4. The Munsif 2nd, Civil Court, Saran at Chapra.
5. The Munsif 4th, Civil Court, Saran at Chapra.
6. Saliman Khatoon@ Saliman Bibi, Wife of Late Gulab Mohammad. Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin-Code-841216
7. Kaliban Khatoon Wife of Babar Ali, and D/o Late Gulab Mohammad Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
8. Nasiban Khatoon Wife of Mohammad Murtaza and D/o Late Gulab Mohammad Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
9. Laila Khatoon Wife of Mohammad Sabir and D/o Late Gulab Mohammad Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
10. Aasmi Khatoon D/o Late Gulab Mohammad Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
11. Saifuddin Miyan S/o Late Rasul Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
12. Ahamad Hussain Son of Late Subhan Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
13. Hadisan Khatoon Wife of Late Subhan Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
14. Mehrun Khatoon D/o Late Subhan Miyan W/o Naseeb Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin-Code-841216
15. Janabo Khatoon D/o Late Subhan Miyan and Wife of Jagan Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin-Code-841216
16. Bakaridan Khatoon D/o Late Subhan Miyan, Wife of Jainuddin Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
17. Most Khatoon @ Johara Khatoon W/o Late Sahabuddin Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin-Code-841216



18. Khalil Miyan S/o Late Sahabuddin Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
19. Saral Miyan @ Ajij Miyan S/o Late Sahabuddin Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
20. Atiha Khatoon Wife of Late Mohamaddin Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
21. Asumuddin Miyan Son of Late Mohamuddin Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
22. Jaituna Khatoon D/o Mohammudin Mian Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
23. Kisamattullah @ Jamruddin Son of Late Rahmattula Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
24. Salamuddin @ Butai Miyan S/o of Late Rahamattula Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
25. Kalamuddin Miyan Son of Late Aas Mohammad Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
26. Jakir Hussain Miyan Son of Late Ass Mohammad Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
27. Liyakat Miyan Son of Late Aas Mohammad Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
28. Ali Hussain Son of Late @ Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216
29. Abdul Hafiz Miyan Brother of Late Hadis Miyan and Son of Late Suleman Miyan Resident of Village - Santha, P.O. - Naraon, P.S.- Awatar Nagar, District - Saran,Pin- Code-841216

... .. Respondent/s

Appearance :

For the Petitioner/s : None.
For the Respondent/s : Mr. Sanjeev Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 15-05-2023

None appears on behalf of the petitioner.

Mr. Sanjeev Kumar, learned counsel for the



Respondent 1st set, is present.

The petitioner, who is claiming himself to be party to the Title Partition Suit No. 169 of 1987, filed the present writ application seeking a direction upon the Respondent 1st set, to locate/search the record of the Title Partition Suit No. 169 of 1987, which is not traceable from the learned Court of Munsif-IV, Saran at Chapra or alternatively direct them to construct the case record at the earliest.

On the last occasion, a direction was given to the District Judge, Saran at Chapra, to take appropriate action in the matter and in deference to the order of this Court dated 21.04.2023, the District & Sessions Judge, Saran at Chapra, vide his letter no. 1823 of 2023, addressed to the Registrar General, High Court of Judicature at Patna, has informed that both the parties have prayed for reconstruction of the missing record of Title Partition Suit No. 169 of 1987 and, on their request, permission for reconstruction of the case record of Title Partition Suit No. 169 of 1987, has been accorded. It is also informed that a preliminary inquiry has also been set up for fixing responsibility of erring staff, who is responsible for missing of the record vide Office Order No. 49A of 2023.

In view of the submissions made on behalf of the



learned counsel appearing for the Respondent 1st set, it appears that the grievance of the petitioner stood redressed and the direction for reconstruction of the case record has already been issued

Thus, the present writ application stands disposed of.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16-05-2023
Transmission Date	

