

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.425 of 2018

2. Gopal Paswan son of Late Ram Kailash Ram Resident of Village- Khajhara, P.S. Mohania, District- Kaimur at Bhabua.
3. Vidya Sagar Paswan son of Late Ram Kailash Ram Resident of Village- Khajhara, P.S. Mohania, District- Kaimur at Bhabua.
4. Lakhamuni Devi Daughter of Late Ram Kailash Ram Resident of Village- Khajhara, P.S. Mohania, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

- 1.1. Jitendra Paswan S/o- Late Giraja Paswan, Resident of Village- Khajhara, P.S. Mohania, District- Kaimur.
2. Rambyas Paswan son of Late Sheodhan Paswan Resident of Village- Khajhara, P.S. Mohania, District- Kaimur at Bhabua.
3. Raj Kumar Paswan son of Late Sheodhan Paswan Resident of Village- Khajhara, P.S. Mohania, District- Kaimur at Bhabua.
4. Ram Ashish Ram son of Late Sheodhan Paswan Resident of Village- Khajhara, P.S. Mohania, District- Kaimur at Bhabua.
5. Tarak Nath Paswan @ Tarak Das son of Late Ram Chandra Paswan Resident of Village- Khajhara, P.S. Mohania, District- Kaimur at Bhabua.
6. Ganesh Paswan son of Late Ram Chandra Paswan Resident of Village- Khajhara, P.S. Mohania, District- Kaimur at Bhabua.
7. Om Prakash Paswan son of Late Ram Chandra Paswan Resident of Village- Khajhara, P.S. Mohania, District- Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey, Advocate
For the Respondent/s : Mr. Shambhu Nath Choubey, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

25 28-08-2023

Heard learned counsel for the parties.

It is an admitted position that the impugned order cannot be interfered with because of the judgment of the Special Bench of this Court in the case of *Musmat Prabhawati Kumari, Ramkrit Singh and others vs. State of Bihar reported in 2019*



(4) PLJR 430.

In view of the above, the impugned order dated 17.01.2018, passed by learned Sub-Judge 1st, Kaimur at Bhabhua in T.S. No. 768 of 2014 is set aside and the application dated 20.04.2015 is allowed and the suit is held to be abated.

(Sandeep Kumar, J)

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