

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL MISCELLANEOUS JURISDICTION No.1630 of 2017**

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1. Abhiram Singh.
2. Parshuram Singh. Both are sons of Late Ram Badan Singh, resident of Village- Chilhos Repura, Police Station- Sandesh, District- Bhojpur at present resident of Village- Khanethi, Police Station- Sonhan, District- Kaimur.

... .. Petitioner/s

Versus

1. Dulhin Bechna Devi and Ors W/o Ramdas Ray, resident of Village- Saina, P.O. Silari, Police Station- Shiv Sagar, District- Rohtas.
2. Baliram Singh.
3. Patiram Singh.
4. Vishram Singh. All are sons of Late Ram Badan Singh, All are resident of Village P.O.- Khavethi, Police Station- Sonhan, District- Kaimur.
5. Most. Sundra Kuer, W/o Late Pradumn Singh, resident of Village- Chilhosrepura, Police Station- Sandesh, District- Bhojpur at present resident of Village P.O.- Khanethi, Police Station- Sonhan, District- Kaimur.
6. Santosh Singh son of Parsuram Singh.
7. Battu Singh son of Parshuram Singh.
8. Pramod Singh son of Parshuram Singh,
9. Aashutosh Singh son of Abhiram Singh.
10. Hareram Singh son of Abhiram Singh.
11. Bachcha son of Abhiram Singh.
12. Mulukraji Devi w/o not known.
13. Sona Devi D/o Late Ram Badan Singh. All are resident of Village- Chilous, Police Station- Sandesh, District- Bhojpur.
14. Vijay Kumar Ram son of Ramdas Ray.
15. Vikas Ram son of Ramdas Ray. All are resident of Village P.O.- Khanethi, Police Station- Sonhan, District- Kaimur.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Jitendra Prasad Singh<br>Mr. Abhishek<br>Ms. Sripriya Sinha |
| For the Respondent/s | : | Mr. Radha Mohan Pandey                                          |

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

8      21-09-2023      Heard the parties.



2. This application has been filed for setting aside the order dated 21.07.2017 passed by the Sub-Judge VIII, Kaimur at Bhabhua in Title Suit No. 81 of 1998 by which the prayer of the petitioner for adding the suit property bearing Khata No. 69 and 55 under the receiver who has been appointed by order dated 22.07.2002 in Title Suit No. 205 of 1998 in which Title Suit No. 81 of 1998 has been amalgamated for joint trial and decision by the order dated 21.07.2004 passed by this Hon'ble Court has been rejected.

3. Both the parties jointly submits that the suit is on the verge of decision and only the arguments in the suit are to be done.

4. In view of the above, both the parties have jointly submitted that this order may remain in force without prejudice to the either side and in appeal, if a question of receiver arises then the impugned order will not come in the way of either of the parties.

5. It has also been pointed out by the learned counsel for the respondents that the case is pending in the Court of Sub-Judge III, Kaimur at Bhabhua but the Court has become vacant .In view of the above submission of learned counsel for the respondents the District Judge, Kaimur at Bhabhua is directed to



transfer the Suit to the Court of Sub-Judge I, Kaimur at Bhabhua and the Sub-Judge I, Kaimur at Bhabhua shall decide the case within one month from the date of the Suit being transferred to his Court without giving any unnecessary adjournment to either of the parties.

6. With the aforesaid directions, this application is disposed of.

7. Let a copy of this order be communicated to the District Judge, Kaimur at Bhabhua through FAX and e-Mail for its compliance forthwith.

**(Sandeep Kumar, J)**

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