

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.167 of 2018

Hans Nath Singh, Son of Late Jamuna Singh, Resident of Village Siswa, P.S.-
Hasanpura, District- Siwan.

... .. Petitioner/s

Versus

1. Harendra Singh, Son of Late Shatrughan Singh, Resident of Village and P.O. Bangra, P.S. Daudpur, District- Saran.
2. Krishna Kant Singh,
3. Pappu Singh, Both Sons of late Ram Kumar Singh, Resident of Village and P.O. Bangra, P.S. Daudpur, District- Saran.
4. Shobha Devi @ Baby, Daughter of Late Ram Kumar Singh, and Wife of Abhisek Singh, Resident of Village Tajpur Phulwariya, P.O. Tajpur, P.S. Manjhi, District- Saran.
5. Shail Kumari Devi, Wife of Late Ram Kumar Singh,
6. Narendra Singh, Son of Late Ramayan Singh,
7. Raj Kumari Devi, Wife of Narendra Singh, Respondent nos. 5 to 7 Residents of Village and P.O. Bangra, P.S.- Daudpur, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nagendra Rai, Advocate with Mr. Navin Nikunj, Advocate with Mr. Koshalendra Rai, Advocate
For the Respondent/s	:	Ms. Rajani Kumari, Advocate with Mr. Vijay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

13 15-02-2023 Heard learned counsel for the parties.

This application has been filed against the order dated
12.09.2017 passed by learned Sub-Judge-11, Saran at Chapra in
T.S. No. 269 of 1993.

At this stage, learned counsel for the petitioner
submits that this case may be disposed of with liberty to the
petitioner to file appropriate application under Order 1 Rule 10



C.P.C. before the court concerned for which the learned counsel for the respondents has no objection.

In view of the submissions of the learned counsel for the parties, this application is disposed of with liberty to the petitioner, as prayed for. The learned court below on filing of such application by the petitioner may decide the same on its own merit without being prejudiced by the impugned order.

(Sunil Dutta Mishra, J)

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