

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1568 of 2018

1. Randhir Kumar Singh, Son of Late Chandeshwar Singh.
2. Udai Kumar Singh, Son of Late Nageshwar Singh.
Both are resident of Village- Bahadurpur, P.S.- Bahadurpur, P.O.-
Rajendra Nagar, District- Patna and also residing at Village- Pachlekh, P.S.
Khijersarai, P.O.- Aima Chowky, District- Gaya.

... .. Petitioners

Versus

1. Dhirendra Kumar Singh, son of Late Kameshwar Singh.
2. Shobha Kumari, D/o Late Kameshwar Singh..
3. Sri Bijeshwar Singh, Son of Late Ram Sanehi Singh.
All are resident of Village- Bahadurpur, P.S.- Bahadurpur, P.O.-
Rajendra Nagar, District- Patna and also residing at Village- Pachlekh, P.S.
Khijersarai, P.O.- Aima Chowky, District- Gaya.
4. Santosh Kumar Singh.
5. Dilip Kumar Singh,
Both Sons of Late Baleshwar Singh.
6. Sudhir Kumar Singh, Son of Late Chandeshwar Singh.
7. Rana Kumar Singh, Son of Late Nageshwar Singh
All are resident of Village- Bahadurpur, P.S.- Bahadurpur, P.O.-
Rajendra Nagar, District- Patna and also residing at Village- Pachlekh, P.S.
Khijersarai, P.O.- Aima Chowky, District- Gaya.
8. Tapan Singh, Son of Late Chandeshwar Singh.
9. Vinita Devi, Wife of Late Chandeshwar Singh.
Both are resident of Village- Bahadurpur, P.S.- Bahadurpur, District-
Patna and also resident at Village- Pachlekh, P.S. Khijersarai, District- Gaya.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Aditya Narayan Singh, Advocate
For the Respondents	:	Mr. Rajeev Ranjan Sinha, Advocate Mr. Shambhu Narayan Singh, Advocate Mr. Suraj Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

10 01-09-2023

Heard learned counsel for the parties.

2. In this case, the petitioners are challenging
the order dated 17.07.2018 passed by learned Sub Judge, XIV,



Gaya, in Title Suit No.24 of 2018, by which the learned Sub Judge has allowed the intervention petition filed by the defendants/respondent nos.8 and 9.

3. I have considered the submissions of the parties and perused the materials on record including the impugned order. I find that the impugned order is cryptic and non-speaking order as the learned Sub Judge has not considered the case of the plaintiffs/petitioners while allowing the case of the intervenor defendants.

4. In view of the aforesaid, the impugned order dated 17.07.2018 passed by learned Sub Judge, XIV, Gaya, in Title Suit No.24 of 2018 is hereby set aside. The matter is remanded to the Sub-Judge-XIV, Gaya, for taking fresh decision on the application under Order 1 Rule- 10 of the Civil Procedure Code within one month from the date of receipt/production of a copy of this order.

(Sandeep Kumar, J)

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