

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5109 of 2023

Surendra Kumar Singh @ Kamla Kant Sinha S/o Badri Narayan Singh R/o of Vill.- Basaudha, Sadishopur, P.S.- Bihta, District- Patna being Power of Attorney Holder of Sri Kamla Kant Sinha, S/o Late Guru Prasad Sinha @ Pyare Babu, resident of Village- Sadishopur, Kulwanchak, P.S.- Bihta, Town and District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Law Secretary, Old Secretariat, Patna.
2. The Registrar, District and Session Court, Patna.
3. Rameshwar Prasad Sinha, Son of Late Guru Prasad Sinha Resident of Sadisopur, Kulwan Chak, P.S.- Bihta, District- Patna (Bihar) and presently residing at Sadisopur House, Fraser Road, P.S.- Kotwali, District- Patna.
4. Rajni Kant Sinha, Son of Late Guru Prasad Sinha Resident of Sadisopur, Kulwan Chak, P.S.- Bihta, District- Patna (Bihar) and presently residing at Sadisopur House, Fraser Road, P.S.- Kotwali, District- Patna.
5. Umesh Mishra, Son of Late Bishwanath Mishra Resident of Village- Shahbajpur, P.O.- Bishunpur, P.S.- Bihta, District- Patna and presently Umesh Mishra is residing in Mohalla Shantipur, P.O.- Motihari, P.S. and District- Motihari- 845401 (Bihar).
6. Brajesh Mishra @ Mukhu Mishra, Son of Late Bishwanath Mishra Resident of Village- Shahbajpur, P.O.- Bishunpur, P.S.- Bihta, District- Patna and presently Umesh Mishra is residing in Mohalla Shantipur, P.O.- Motihari, P.S. and District- Motihari- 845401 (Bihar).
7. Dinesh Mishra, Son of Late Kashi Nath Mishra Resident of Village- Shahbajpur, P.O.- Bishunpur, P.S.- Bihta, District- Patna and presently Umesh Mishra is residing in Mohalla Shantipur, P.O.- Motihari, P.S. and District- Motihari- 845401 (Bihar).
8. Naresh Mishra, Son of Late Kashi Nath Mishra Resident of Village- Shahbajpur, P.O.- Bishunpur, P.S.- Bihta, District- Patna and presently Umesh Mishra is residing in Mohalla Shantipur, P.O.- Motihari, P.S. and District- Motihari- 845401 (Bihar).
9. Bibhu Sharan Lal, S/o Bimal Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
10. VকাশSharan Lal, S/o Binod Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
11. Ashish Sharan Lal, Son of Late Vijay Bihar Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
12. Anand Sharan Lal, Son of Late Vijay Bihar Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
13. Ambar Sharan La, Son of Late Vijay Bihar Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
14. Rajnish Ravomdra Lal, S/o Late Ravindra Bihari Lal Resident of Sadisopur,



- Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
15. Manish Kumar, Son of Narendra Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 16. Nitish Kumar, Son of Narendra Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 17. Harendra Bihari Lal, Son of Late Anami Shaaran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 18. Binay Bihari La @ Binu Jee, Son of Late Anami Shaaran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 19. Kasitij Sharan Lal, S/o Satendra Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 20. Rohit Saran Lal, Son of Binay Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 21. Rahul Saran Lal, Son of Binay Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 22. Simant, S/o Late Shankar Sharan Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 23. Saba Sabehi Lal, Retd. Executive, Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 24. Kamal Saran Lal, S/o Sabal Sanehi Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 25. Kushum, D/o of Shri Krishna Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 26. Niloo, D/o of Shri Krishna Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 27. Madhuri, D/o of Shri Krishna Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 28. Sanjivan Saran Lal, Son of Shwamy Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 29. Samiran Saran Lal, Son of Shwamy Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 30. Lal Arjun Deo Aran Lal Maharshi, Son of Samiran Sharan Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 31. Lal Prabudh Rishiraj, Son of Samiran Sharan Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 32. Aman Sharan Lal, Son of Samiran Sharan Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 33. Sital Sharan Lal, Son of Samiran Sharan Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
 34. Sanjal Saran Lal, Son of Samiran Sharan Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).



35. Shekhar Sharan Lal, Son of Samiran Sharan Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
36. Abinashi Sharan Lal, Son of Samiran Sharan Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
37. Anand Sharan Lal, Son of Pramod Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
38. Santosh Sharan La, Son of Pramod Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
39. Dhiraj Sharan Lal, Son of Pramod Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
40. Navin Sharan Lal, Son of Pramod Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
41. Kumari Sadhna Sharan Lal, Daughter of Pramod Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
42. Kumari Kumud Saran Lal, Daughter of Pramod Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
43. Kumari Tripathi, Daughter of Pramod Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
44. Kumari Deepa, Daugher of Pramod Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
45. Sanat Saran Lal, Son of Alok Bihari Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
46. Alok Saran La, Son of Alok Bihari Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
47. Radha Raman Bihari Lal, Son of Late Surendra Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
48. Ashok Raman Bihari Lal, Son of Late Surendra Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
49. Rajesh Bihari Lal, S/o Radha Raman Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
50. Slok Bihari Lal, S/o Ashok Bihari Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
51. Arun Sharan Lal, S/o Late Anmol Sharan Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
52. Sidharth Sharan Lal, S/o Arun Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
53. Shambhu Sharan Lal, Son of Sant Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
54. Ranbir Saran Lal, Son of Sant Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).



55. Kailash Saran Lal, Son of Sant Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
56. Deepak Saran Lal, Son of Sant Saran Lal Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
57. Dushayant Sharan Lal, Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
58. Prabhat Sharan Lal, Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
59. Sumant Saran Lal, Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).
60. Hemand Sharan Lal, Resident of Sadisopur, Kulwan Chak, Pargana- Maner, P.O. and P.S.- Bihta, District- Patna (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Amar Jyoti Sharma, Adv.
For the Respondent/s : Ms.Kumari Amrita, GP-3
Mr.Rajesh Kumar, AC to Gp-3

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-10-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1. That this instant writ application is being filed for the issuance of writ of Mandamus/or appropriate nature of writs, direction/directions, order/orders for following relief sought :-

(i) for issuance of direction to the Respondents Authorities to trace the records of Title Suit

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36/19654*

(ii) for issuance of direction to dispose of the case of the Petitioner within reasonable time.

(iii) for issuance of direction to protect legal right, right to avail justice from the court below.

(iv) for passing such order/orders appropriate in the facts and circumstances of the case.”



2. At the outset, the learned counsel for the petitioner seeks a direction upon the learned District Judge, Patna to redress his aforesaid grievances.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to request the learned District Judge, Patna to examine the matter and ensure that the records of the aforesaid suit proceedings are traced and attached with the Execution Case No.1 of 2009, which is pending before the learned Court of Sub-Judge IV, Patna, so that the same can be disposed off, expeditiously.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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