

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5979 of 2005**

---

1. Janak Mandal son of Late Giraj Mandal.  
2. Samarjit Mandal son of Late Jamun Mandal.  
3. Rajeshwar Mandal son of Late Sita Ram Mandal.  
4. Dayanand Mandal  
5. Madhu Sudan Mandal  
Both sons of Janak Mandal.  
All residents of village Nauneti Tola Narhaiya P.S Atalkha P.S. Sonbarsa Dist.  
Saharsa, at present Basnahi Dist.-Saharsa

... .. Petitioner/s

Versus

1. Priyabrat Mandal son of late Baneshwar Mandal
2. Subhash Mandal son of Late Jagdish Mandal,
3. Surendra Mandal son of Late Adhik Mandal,
4. Arun Kumar Mandal son of Late Muneshwar Mandal,
5. Mostt. Sumitra Devi widow of Late Muneshwar Mandal,
6. Bhagat Mandal
7. Maheshwar Mandal, both sons of Asharfi Mandal,
8. Narayan Sah son of Janak Sah  
Opposite Party Nos.-1 to 8 residents of village-Nauneti, P.O.-Atalka, P.S.-  
Basnahi, Dist.-Saharsa.
9. Kamla Devi daughter of Late Narsingh Mandal and widow of Late  
Upendra Singh, resident of village- Murasi, P.O.-Bela, P.S.-Beldaur, Dist.-  
Khagaria.
10. Lalan Mandal(Mahto),
11. Khalan Mandal(Mahto),
12. Laddu Mandal(Mahto).
13. Binod Mandal (Mahto), Nos. -10 to 13 sons of Kamal Mandal (Mahto),
14. Kamal Madal(Mahto) son of Late Bindeshwari Mandal (Mahto),
15. Rekha Devi,
16. Manorma Devi,
17. Meera Devi,  
Nos. 15 to 17 daughters of Arhoot Devi widow of Kamal Mandal  
(Mahto).  
Opposite Party Nos.-10 to 17 residents of villagev-Amarpur, P.O.-  
Amarpur, P.S.-Sonbarsa Kachahari, Dist.-Saharsa.



18. Biran Mandal,

19. Lalit Mandal,

20. Tej Mandal, both sons of Biran Mandal.

Opposite Party Nos.-18 to 20 residents of village-Madhukar Chak, P.O.-  
Madhukar Chak, P.S.-Bihariganj, Dist.-Madhepura.

21. Shyama Devi wife of Gurudeo Mandal, resident of village Sarauni, P.S.-  
Bihariganj, District-Madhepura

22. The State of Bihar

... .. Respondent/s

---

---

**Appearance :**

For the Petitioner/s : Mr.Ganpati Trivedi, Sr. Adv.

For the Respondent/s : Mr. Manoj Kumar, AC to GP-4

---

---

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

6      16-02-2023                      The present writ petition has been filed  
seeking the following relief:-

“1. That this application is for issuance of appropriate writ, order or direction quashing the order dated 9.1.2003 passed by the Sub-Judge-III, Saharsa in T.S. No. 2/02 whereby the learned Sub-Judge rejected the petitioners’ prayer to amend the plaint.”

At the outset, the learned Senior Counsel for the petitioners seeks liberty on behalf of the petitioners to take recourse to appropriate remedies as are available under the law for the purposes of challenging the sale deed in question.



Liberty, so sought, is granted.

It is needless to state that dismissal of the present writ petition would not cause any prejudice to the petitioners to agitate their grievances in the pending suit.

The present writ petition stands dismissed as not pressed.

**(Mohit Kumar Shah, J)**

Ajay/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

