

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.236 of 2017

1. Dukhan Rai and Ors son of Rakat Rai
2. Chandra Kant Kumar Yadav, son of Dukhan Rai
3. Sri Kant Kumar Yadav, son of Dukhan Rai All are resident of Village- Bigrhjpur, Police Station- Jakkanpur, Town and District- Patna

... .. Petitioner/s

Versus

1. Smt. Nilam Sinha and Ors wife of Satyendra Kumar Sinha, resident of Mohalla- Ara Garden, C-402, Ishwar Place, Asha Enclave, Rukunpura, Police Station- Rupashpur, Town and District- Patna.
2. Most Somaria Devi, wife of Late Mahendra Rai
3. Sunita Devi, daughter of Late Mahendra Rai
4. Udesb Rai
5. Sudesh Rai Both sons of Mahendra Rai
6. Anita Devi, wife of Late Jugesh Rai
7. Rahul Kumar
8. Vikash Kumar
9. Ravi Kumari @ Puja Kumari All minor sons and daughter of Late Jugesh Rai, the minors under the guardianship of this mother and All resident of Village- Bigrhjpur, Police Station- Jakkanpur, Town and District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Kamlesh Kumar Sharma
For the Respondent/s	:	Mr.Kumar Satya Kirti

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 31-10-2023 Heard learned counsel for the petitioners and learned counsel for the legal heirs of respondent No. 01.

2. This application has been filed against the order dated 21.10.2016 passed by the learned Sub-Judge-IV, Patna in Title Suit No. 376 of 2000 by which the application of Respondent No. 01 for adding her as party-defendant has been allowed with liberty to newly added respondent to file a written statement and lead evidence when the case was already pending for argument.

3. It has been submitted by the learned counsel for



the respondent No. 01 that she does not wish to file a fresh amendment petition and she does also does not wish to lead fresh evidence. She will adopt the written statement of her vendor.

4. In view of the aforesaid submission, the impugned order is modified to the extent that this Court is not interfering in the order by which the defendant No. 01 was added as a defendant.

5. The last part of the impugned order is set aside, in view of the submission of the learned counsel for the respondent No. 01.

6. Since the suit is of the year 2000, the Court below is directed to hear both the parties and conclude the same within three months from the date of communication of a copy of this order without giving any unnecessary adjournment to any party and file a compliance report in this Court after three months.

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

(Sandeep Kumar, J)

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