

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18282 of 2013

=====

Krishnadeo Yadav Son Of Ram Bilash Yadav Resident Of Village- Kuseta
Pergana Ekill, Police Station- Tekari, District- Gaya

... .. Petitioner/s

Versus

1. Raghubans Yadav Son Of Late Chandrika Yadav Resident Of Village- Nizampur Barh, Taura Pergana Arwal, Police Station Tekari, District- Gaya
2. Ram Nandan Yadav Son Of Late Chandrika Yadav Resident Of Village- Nizampur Barh, Taura Pergana Arwal, Police Station Tekari, District- Gaya
- 3.1. Sudama Yadav S/o late Arjun Yadav Resident of Bhikhanpur, P.S. Konch, District- Gaya.
4. Chanderdeo Yadav Son Of Name Not Known Resident Of Village- Bhikhampur, Police Station Konch, District- Gaya
- 5.1. Tapeswar Yadav
- 5.2. Baijnath Yadav
- 5.3. Raj Nath Yadav S/o Kashi Yadav Resident of Village- Neiora Tola Mohan Bigha, Pargana Masaurhi, P.S.Paliganj, District- Patna.
6. Kashi Yadav Son Of Name Not Known Resident Of Village- Neiora Tola- Mohan Bigha, Pergana Masaurhi, Police Station- Paliganj, District- Patna

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Najeeb Ahmad, Advocate
	:	Mr. Zeyaul Hoda, Advocate
For the Respondent/s	:	Mr. Nirmal Kr. Sinha, Advocate
	:	Mr. Arun Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

9 25-04-2023 Though the present writ petition has been filed

challenging the order dated 01.07.2013, passed in Title Suit

no. 205 of 1993, whereby and whereunder the learned court

of Munsif IIIrd, Gaya has disposed off the petition dated

01.03.2013, filed by the plaintiff and has merely permitted



comparison of the LTI of the respondent no. 5 i.e. Chandramani Devi, who is now dead and has already been substituted, as present on the sale deed executed in favour of the plaintiff, with her LTI present on the sale deed executed in favour of the defendants no. 1 and 2, but it is the contention of the petitioners that the LTI of the aforesaid Chandramani Devi cannot be compared with her disputed signature present on the disputed sale deed, executed in favour of the defendants of the aforesaid title suit in question, which is also the subject matter of one another title suit bearing Title Suit no. 39 of 1983, hence, the petition filed by the plaintiff to direct for comparison of the LTI of the aforesaid Chandramani Devi, as present on exhibits no. 3, 4 and 9, with her LTI present on the sale deed executed in favour of defendants no. 1 and 2, be allowed.

At this juncture, the learned counsel for the respondents submits that the respondents have got no objection to the aforesaid proposal, put forth by the learned counsel for the petitioner.

Having regard to the facts and circumstances of the case and in view of the fact that the learned counsel for



the respondents does not have objection to the aforesaid mode of comparison of the LTI of the aforesaid Chandramani Devi, I deem it fit and proper to allow the present writ petition with a direction to the learned trial court to ensure comparison of LTI of Chandramani Devi in accordance with the mode prescribed in the petition dated 01.03.2013, filed by the plaintiff, as aforesaid.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

rinkee/-

U			
---	--	--	--

