

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.57 of 2023

Jai Nandan Pandey Son of Sri Bishundeo Pandey @ Bishundev Pandey
Resident of Village- Pipra, P.S. Baroon, District - Aurangabad Present
Address Ward No. 8, Shri Krishna Nagar, Aurangabad, Bihar 824101

... .. Petitioner/s

Versus

1. Arunoday Mishra Son of Late Madan Mishra Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
2. Pramod Kumar Mishra Son of Late Madan Mishra Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
3. Vinod Kumar Mishra Son of Late Madan Mishra Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
4. Sanju Devi W/o Devendra Mishra, Resident of Village- Imbrahimpur, P.S.- Fesar, District- Aurangabad
5. Gudiya Devi W/o Santan Pathak, Resident of Village- Sinduriya, P.S.- Mail, District- Aurangabad
6. Ram Nandan Mishra Son of Radha Krishna Mishra, Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
7. Brij Mohan Mishra Son of Late Hari Nandan Mishra, Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
8. Mithlesh Mishra Son of Late Hari Nandan Mishra Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
9. Jai Nandan Pandey Son of Late Bishundeo Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
10. Bibhuti Pandey Son of Late Bishundeo Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
11. Ram Narayan Pandey Son of Late Bishundeo Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
12. Birendra Pandey Son of Late Bishundeo Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
13. Mostt. Sita Kuar W/o Late Bishundeo Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
14. Jai Nandan Pandey Son of Late Bishundeo Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
15. Sarjoo Pandey Son of Late Narsingh Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
16. Yamuna Pandey Son of Late Narsingh Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
17. Triweni Pandey Son of Late Narsingh Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
18. Ayodhya Pandey Son of Late Narsingh Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad



19. Mostt. Barti Kuar W/o Late Bishundeo Pandey Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad
20. Dhirendra Pandey Son of Resident of Village- Pipra, P.S.- Baroon, District- Aurangabad

... ... Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-10-2023 Heard the parties.

2. The present application has been filed on behalf of the petitioner for issuance for the following reliefs:-

(i) For issuance of an appropriate Civil Misc. commanding the respondents to quash the order dated 19/10/2022 passed by the learned Munsif, Civil Court, Aurangabad in title suit number 118/1996 (Arunoday Mishra and others versus Jainandan Pandey and others) in which record called for from the office of Anchala Adhikari, Baroon, Aurangabad because the certified copy of return has been submitted in damage suit no. 29584/29583/54 -55 on which the said petition of the petitioner has been rejected on the ground that there is no requirement for demanding the paper/record from the office of Anchala Adhikari, Barun, Aurangabad as contained in annexure - 8 to this petition.

(ii) For issuance of an appropriate writ commanding the Respondents to stay the Title Suit No. 118/1996 till disposal of the said petition.

(iii) For any other relief/reliefs for which the petitioner is entitled under law as well as on facts and circumstances of the said case.

3. This application is disposed of with liberty to the



petitioner to file a fresh application like the present one after filing a requisition for supply of the certified copy of the damage suit. If the certified copy is not given to the petitioner then only his application of calling for records of the damage suit shall be entertained by the Court below.

4. With the aforesaid observations and directions, this application is disposed of.

(Sandeep Kumar, J)

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