

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.10 of 2023

Mukul Shankar Singh S/o Late Krishna Kumar Singh, R/o Nagina Bhawan
Ward No. 28, Gandhi Nagar, Dehri-on-Sone, District - Rohtas, Bihar.

... .. Petitioner/s

Versus

1. Sangeeta Singh W/o Late Rakesh Kumar Singh, Resident of village - Dilian, P.S. and P.O. - Dehri, District - Rohtas.
2. Manoj Shankar Singh, S/o Late Krishna Kumar Singh, Resident of village Nagina House, Gandhi Nagar, Pali Road, Dehri-on-Sone, P.O. and P.S. Dehri-on-Sone District- Rohtas.
3. Kumar Ojashwi Singh, Son of Mukul Shankar Singh, Resident of village and P.S. Akorhi Gola District - Rohtas.
4. Nishi Singh @ Suchita Singh, Daughter of Mukul Shankar Singh, W/o Jitendra Kumar Singh, R/o Nai Mohalla in the House of H.L. Biswas, near Church, Station Road, Daltonganj, P.O. and P.S. Daltonganj, District - Palamu (Jharkhand).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Anil Kumar Tiwary
For the Respondent/s	:	Mr.Amit Kumar Anand

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 12-09-2023 Heard the parties.

2. This application has been filed for quashing the order dated 06.08.2022 passed by learned Sub-Judge VI, Sasaram, Rohtas in Title Suit No. 844 of 2014 whereby and whereunder the learned Judge has allowed the intervener petition of respondent No. 01.

3. In a suit, in which the plaintiff and the defendant had filed their compromise petition on 22.01.2022, an intervention application was filed by the Respondent No. 01 on 05.03.2022.

4. The intervenor claims that he is the purchaser of the property from the defendant No. 01 and therefore he is a



necessary and proper party and the Court below has allowed the same by the impugned order.

5. Learned counsel for the petitioner submits that the Suit is between two brothers and when they had entered into a compromise, the intervenor cannot be added in the suit filed. If the intervenor has any grievance he can file a separate suit against the person from whom he is aggrieved.

6. A stranger to a suit is neither a necessary nor a proper party. If the intervenor-respondent No. 01 claims that he had purchased the property from the petitioner, he has a remedy to file a separate suit against the petitioner and he should not be allowed to intervene in the present case.

7. In view of the above, this application is allowed.

8. Accordingly, the order dated 06.08.2022 passed by learned Sub-Judge VI, Sasaram, Rohtas in Title Suit No. 844 of 2014 is hereby set aside with a liberty to the respondent No. 01 to file a fresh suit against the petitioner or any other person for his right title and interest.

(Sandeep Kumar, J)

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