

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.143 of 2023

Yagya Nand Sinha, Son of Late Baidya Nath Prasad Sinha @ Baidya Nath Prasad Singh, Resident of Village-Rohua Rajaram, P.O.-Mushahari Farm, P.S.-Mushahari District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Law Secretary, Government of Bihar, Patna.
2. Khurshid Begum, Wife of Abdul Sattar, Resident of Mohalla-Islampur, P.S.-Nagar, District-Muzaffarpur.
3. Praveen Bano, Wife of Md. Iqbal Gauri, Resident of Mohalla-Baba Lahathi Bhandar-555 Islampur, P.S.-Nagar, District-Muzaffarpur.
4. Rishika Raj, Daughter of Sri Rajeev Kumar Resident of Village-Rohua Rajaram, P.S.-Mushahari, District-Muzaffarpur, Presently Resides at Mohalla-Anandpur Vasti, P.S.-Sadar Hazaribagh, District Hazaribagh, Jharkhand.
5. Rajeev Kumar, Son of Late Dayanand Singh, Resident of Village-Rohua Rajaram, P.S.-Mushahari, District-Muzaffarpur, Presently Resides at Village-Rahua Aapuchh, P.S.-Mushahari, District-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate
For the Respondent/s : Mr.Sunil Kumar Mandal, SC-3

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 05-04-2024

Heard learned counsel for the petitioner and learned counsel for the State.

2. The instant petition has been filed by the petitioner seeking direction to the court of learned Sub Judge-10, East, Muzaffarpur to decide the Title Suit No. 426/2022 (Yagya Nand Sinha vs. Khurshid Begum and Ors) filed by the petitioner as early as possible.

3. At the very outset, learned counsel for the



petitioner submits that the petitioner is aged about 85 years and suffering from a number of diseases. The learned counsel further submits that the defendants/respondents are avoiding appearance before the learned trial court, though substituted service through paper publication has also been resorted to. Perhaps defendants are waiting for the demise of the plaintiff/petitioner. The learned counsel further submits that it will suffice if a direction for disposal of the title suit within a reasonable period is issued without entering into the detailed merits of the matter.

4. Since, it is the matter seeking direction to the learned trial court for expeditious disposal of title suit, I do not think there is any need to issue notice to the private respondents, who are yet to appear before the learned trial court.

5. Considering the facts and circumstances and submissions made on behalf of the petitioner and in view of old age of the plaintiff/petitioner, the learned Sub Judge-10, East, Muzaffarpur is directed to expedite the proceeding of Title Suit No. 426 of 2022 and try to conclude the same on its merits and in accordance with law preferably within a period of one year from the date of receipt/production of a copy of this order, without adjourning the matter unnecessarily.



6. The parties are also directed to cooperate in the matter for its early disposal without seeking unnecessary adjournment.

7. With the aforementioned observations and directions, the instant petition stands disposed of.

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.04.2024
Transmission Date	NA

