

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1360 of 2017

1. Mosmat Phool Kumari Devi and Ors Wife of Late Surya Narayan Mishra.
2. Arbind Kumar Mishra, Son of Late Surya Narayan Mishra.
3. Kaushal Kumar Mishra, Son of Late Surya Narayan Mishra.
4. Pawan Kumar Mishra, Son of Late Surya Narayan Mishra.
5. Mosmat Veena Devi, Wife of Late Ram Binod Mishra.
6. Manjit Mishra @ Manjit Saurabh, son of Late Ram Binod Mishra.
7. Sanjeet Saurabh Mishra @ Sanjeet Saurabh, Son of Late Ram Binod Mishra.
8. Swati Mishra, D/o Late Ram Binod Mishra.
9. Deepa Mishra, D/o Late Ram Binod Mishra. All resident of Village- Dhoi, P.S.- Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

1. Sadanand Mishra and Anr Son of Late Bhubeshwar Mishra.
2. Hari Shankar Mishra, Son of Late Bhubeshwar Mishra. Both resident of Village- Doi, P.S.- Sadar, District- Darbhanga.
3. Gita Devi, Wife of Ram Chandra Mishra and D/o Late Krishna Mohan Mishra, Resident of Village- Barauni, P.S.- Teghra, District- Begusarai.
4. Ahilya Devi, Wife of Srikant Pandey, D/o- Late Krishna Mohan Mishra, present address Village- Dhoi, P.S.- Sadar, District- Darbhanga.
5. Girdhari Mishra, son of Late Radha Mohan Mishra.
6. Parmanand Mishra, son of Late Radha Mohan Mishra.
7. Renu Kumari.
8. Rekha Kumari.
9. Ananti Kumari,
10. Subhadra Kumari Mishra. All minor Daughter of late Bhawani Mishra, represented under Guardianship of their Maternal Uncle Gi All resident of Village- Dhoi, P.S.- Sadar, District- Darbhanga.
11. Jagdish Prasad Sahu, Son of Parmeshwar Sahu.
12. Suraj Prasad Sahu, son of Rameshwar Prasad Sahu, Both resident of Village- Madarpur, P.S.- Darbhanga, District- Darbhanga.
13. Sudha Shankar Mishra, S/o Late Shiv Shankar Mishra.
14. Smt. Shyama Devi, D/o Late Shiv Shankar Mishra.
15. Smt. Sunita Devi, Late Shiv Shankar Mishra. All Resident of Village- resident of Village- Madarpur, P.S.- Darbhanga, District- Darbhanga.

... .. Respondent/s

Appearance :



For the Petitioner/s : Mr. Devesh Shankaran, Advocate
For the Respondent/s : Mr. Sanjay Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 08-04-2024 Heard learned counsel for the petitioners on the point
of maintainability.

2. The petitioners have challenged the order dated 24.04.2015 passed by the learned 2nd Additional District Judge, Darbhanga in Title Appeal No. 18 of 2000 by which petition dated 27.01.2015 filed under Order 22 Rule 3 read with Section 151 of the Code of Civil Procedure has been rejected.

3. It has also mentioned in the petition that the Title Appeal No. 18 of 2000 has been disposed of vide order dated 13.11.2016. In these circumstances, the instant petition does not remain maintainable since the main matter has been disposed of.

4. Learned counsel for the petitioners submits that the petitioners have already filed Miscellaneous Appeal No. 191 of 2017 against the order dated 30.11.2016 passed in Title Appeal No. 18 of 2000.

5. Under these circumstances, I find the present petition is not maintainable and hence the same is dismissed.

(Arun Kumar Jha, J)

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