

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.237 of 2008

- 1.1. Meena Devi, Daughter of Late Rajendra Ram
 - 1.2. Veena Devi, Daughter of Late Rajendra Ram
 - 1.3. Manju Devi, Daughter of Late Rajendra Ram
 - 1.4. Baby Devi, Daughter of Late Rajendra Ram
 2. Manoj Ram, Son of Late Rajendra Ram
 3. Pintu Ram, Son of Late Rajendra Ram
 4. Kapil Ram, Son of Late Rajendra Ram
 5. Raja Kumar, minor son of Manoj Ram
 6. Anand Kumar, minor son of Manoj Ram
 7. Amarjit Kumar, minor son of Manoj Ram
 8. Sonu Kumar, minor son of Manoj Ram
 9. Prahalad Kumar, minor son of Manoj Ram
 - Sl. No. 5 to 9 are under the guardianship of their father.
 10. Gauri Shankar, minor son of Pintu Ram, under the guardianship of his father.
- All residents of Mohalla: Alamganj, P.O. & Town, Biharsharif, P.S.-
Laheri, District-Nalanda.

... .. Appellant/s

Versus

- 1.1. Sushila Devi, D/o Late Ramji Ram, Mohalla-Alamganj, P.S.- Laheri,
Dist.- Nalanda. (Biharsharif)
- 1.2. Rani Kumari, D/o Late Ramji Ram, Mohalla-Alamganj, P.S.- Laheri,
Dist.- Nalanda. (Biharsharif).
2. Laxmi Ram, S/o Ramji Ram
3. Biru Ram, S/o Ramji Ram
4. Munni Ram, S/o Late Ramji Ram
5. Jitendra Ram, S/o Late Ramji Ram
6. Guddu Kumar, S/o Late Laxmi Ram
- 7(a). Sharda Devi, W/o Laxmi Ram, R/o-Alamganj, P.S.-Laheri, P.O.-
Biharsharif, Dist.-Nalanda
8. Dholi Kumar, S/o Biru Ram
9. Sonu Ram, S/o Biru Ram
10. Bablu Ram, S/o Munni Ram
11. Suraj Ram, S/o Munni Ram
12. Golu Ram, S/o Munni Ram
- All residents of Mohalla: Alamganj, P.O & Town: Biharsharif, P.S.
Laheri, District: Nalanda.
13. Sabiya Devi, W/o Gopal Ram, resident of village: Hilsa, P.O & P.S.
Hilsa, District: Nalanda.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Suman Kumar, Advocate



For the Respondent/s : Mr. Amar Nath Singh, Advocate
Mr. Satya Prakash, Advocate
Mr. Anil Kumar Jha, Sr. Advocate
Mr. Binoy Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
CAV JUDGMENT

Date : 29-02-2024

The instant appeal has been filed under Section 100 of the Code of Civil Procedure, 1908 (hereinafter referred to as 'the Code') against the judgment and decree dated 12.03.2008 and 29.03.2008, respectively, passed in Title Appeal No. 53 of 2005 by the learned Additional District & Sessions Judge, Fast Track Court No. 1, Nalanda reversing the judgment and decree dated 19.10.2005 and 27.10.2005, respectively, passed in Title Suit No. 162 of 2002 by the learned Subordinate Judge-I, Biharsharif (Nalanda) whereby decreeing the suit in favour of the plaintiffs/appellants.

02. The appellants were the plaintiffs/respondents and the respondents herein were defendants/appellants before the learned courts below. The plaintiffs before the learned trial court filed the suit for declaration of their title on the suit property mentioned in the plaint and also for partition of suit land to the extent of 50 paise and to carve out their shares by appointment of Survey Knowing Pleader Commissioner and also to declare the sale-deed dated 27.09.1967 forged and fabricated and also to set aside the sale deed. The suit property



