

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.518 of 2023

Rakesh Kumar Son of Late Rameshwar Prasad, Resident of Village- Karimchak Azad Road, Chhapra, District- Saran, At Present residing at Sabar Chak Hata, P.O.- Begampur, P.S.- Malsalami, Patna-City, District- Patna.

... .. Petitioner/s

Versus

1. Ravi Kumar Patwa Son of Late Baijnath Khandelwal Patwa, Resident of Musa Sah Building Tower Chauk, P.O.- Lalbagh, P.S. Town District- Darbhanga- 846004.
2. Kumar Adarsh Son of Late Baijnath Khandelwal Patwa, Resident of f Musa Sah Building Tower Chauk, P.O.- Lalbagh, P.S. Town, District- Darbhanga- 846004.
3. Vijay Shree Prasad D/o Late Baijnath Khandelwal Patwa, Resident of f Musa Sah Building Tower Chauk, P.O.- Lalbagh, P.S. Town, District- Darbhanga- 846004.
4. Bharti Sanjay Kumar Patwa Wife of Late Sanjay Kumar Patwa, (S/o Late Baijnath Khandelwal Patwa), Resident of f Musa Sah Building Tower Chauk, P.O.- Lalbagh, P.S. Town, District- Darbhanga- 846004.
5. Patwa Sanskrit Sanjay D/o Late Sanjay Kumar Patwa, Resident of f Musa Sah Building Tower Chauk, P.O.- Lalbagh, P.S. Town, District- Darbhanga- 846004.
6. Peashant Sanjay Patwa D/o Late Sanjay Kumar Patwa, Resident of f Musa Sah Building Tower Chauk, P.O.- Lalbagh, P.S. Town, District- Darbhanga- 846004.
7. Samvirdhi Sanjay Patwa D/o Late Sanjay Kumar, Patna, Resident of f Musa Sah Building Tower Chauk, P.O.- Lalbagh, P.S. Town, District- Darbhanga- 846004.
8. Queen Sanjay Patwa D/o Late Sanjay Kumar Patwa, Resident of f Musa Sah Building Tower Chauk, P.O.- Lalbagh, P.S. Town, District- Darbhanga- 846004.
9. Rajeev Prasad @ Rajeev Kumar S/o Late Rameshwar Prasad Sharraf, Resident of Village- Karimchak Azad Road, Chhapra, District- Saran- 841301
10. Bholu Prasad @ Rahul Kumar Son of Late Rameshwar Prasad Sharraf, Resident of Village- Karimchak Azad Road, Chhapra, District- Saran- 841301
11. Nanhe @ Ramendra Kumar Son of Late Rameshwar Prasad Sharraf, Resident of Village- Karimchak Azad Road, Chhapra, District- Saran- 841301
12. Minu Lal Daughter of Late Rameshwar Prasad Sharraf, Resident of Village- Karimchak Azad Road, Chhapra, District- Saran- 841301
13. Sinni D/o Late Ragini Gupta, Resident of Village- Karimchak Azad Road, Chhapra, District- Saran- 841301



14. Tannu D/o Late Ragini Gupta, Resident of Village- Karimchak Azad Road, Chhapra, District- Saran- 841301
15. The Registrar, Civil Court, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arghesh Kumar, Advocate
For the Respondents: :

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
Date : 22-04-2024

Heard learned counsel for the petitioner and I intend to dispose of the present petition at the stage of admission itself.

02. The petitioner has approached this Court seeking direction to the learned Additional District Judge-VIII, Darbhanga to dispose of the Probate Case No. 13 of 1992 (Title Suit No. 02 of 2010) within a stipulated time period.

03. Learned counsel for the petitioner submits that the petitioner is defendant in Probate Case No. 13 of 1992 (Title Suit No. 02 of 2010). Learned counsel further submits that respondents- 1st set after filing the Probate Case No. 13 of 1992 are not interested in its disposal and on frivolous ground they moved transfer petitions and in such manner, delayed the disposal of the probate Case/title Suit. The respondents 1st set are in habit of making false and absurd allegations against the Presiding Officers and by their mala fide act, stalled the proceeding of Probate Case No. 13 of 1992. Same thing was



done by the respondents 1st set in Title Suit No. 01 of 1995, which has also been pending with regard to property in question in probate case.

04. Since, the petitioner has approached this Court with only prayer of early disposal of the Probate Case No. 13 of 1992 (Title Suit No. 02 of 2010) pending before the learned Additional District Judge-VIII, Darbhanga within a stipulated time period, I think no useful purpose would be served in issuing notice to the respondents.

05. Hence, the learned trial court is directed to take to dispose of the Probate Case No. 13 of 1992 (Title Suit No. 02 of 2010) within six months from the date of receipt/production of a copy of this order. The parties are directed to co-operate with the proceeding before the learned trial court.

06. Accordingly, the present petition stands disposed of with the aforesaid observation.

(Arun Kumar Jha, J)

Ashish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.04.2024
Transmission Date	NA

