

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1214 of 2023

1. Bibi Khairun Nisha @ Khairun Nisha Wife of Hazi Md. Obais, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
2. Shajad Alam Son of Hazi Md. Obais, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
3. Sarfaraj Alam Son of Hazi Md. Obais, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
4. Md. Amanullah Son of Hazi Md. Obais, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
5. Mahejahin Banu @ Mahejabin Ara Daughter of Hazi Md. Obais, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
6. Roshan Ara Daughter of Hazi Md. Obais, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
7. Gulsan Ara Daughter of Hazi Md. Obais, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
8. Farooque Anwar Son of Md. Rafique and Late Akila Khatoon Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
9. Abida Khatoon Daughter of Late Haji Md. Obais and Wife of Moinuddin, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.

... .. Petitioner/s

Versus

1. Fazle Karim Son of Late Haji Md. Obais Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
2. Roza Khatoon Wife of Late Md. Zuber Ahmad Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
3. Iftekhharuzzama Son of Late Md. Zuber Ahmad Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
4. Faiyaz Alam Son of Late Md. Zuber Ahmad Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
5. Rehana Parveen Daughter of Late Md. Zuber Ahmad Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
6. Farzana Parveen Daughter of Late Md. Zuber Ahmad Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
7. Mahalaqua Daughter of Late Md. Zuber Ahmad Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
8. Aftan Parveen Daughter of Late Md. Zuber Ahmad Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
9. Farhana Parveen Daughter of Late Md. Zuber Ahmad Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
10. Bibi Samsun Nisha Wife of Late Abdul Mannan Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
11. Mahtab Alam Son of Late Abdul Mannan, Resident of Mohalla-



Khuskibagh, Police Station- Sadar, District- Purnea.

12. Tanweer Alam Son of Late Abdul Mannan, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
13. Parwej Alam Son of Late Abdul Mannan, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
14. Athar Mannan Son of Late Abdul Mannan, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
15. Juned Alam Son of Late Abdul Mannan, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
16. Saziya Kausar Daughter of Late Abdul Mannan, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
17. Farheen Kausar Daughter of Late Abdul Mannan, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
18. Mahetalab Bano Daughter of Late Abdul Mannan and Wife of Mobinul Haque Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
19. Sabana Kousar Daughter of Late Abdul Mannan and Wife of Manjoor Alam Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
20. Mumtaz Alam Son of Late Haji Md. Obasis, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
21. Sarware Alam Son of Late Md. Alam Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
22. Shah Nawaji Son of Late Md. Alam, Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.
23. Miraj Alam Son of Late Md. Alam, Sarwari Khatoon, Wife of Late Md. Alam Resident of Mohalla- Khuskibagh, Police Station- Sadar, District- Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. J. S. Arora, Sr. Advocate
Mr. Manoj Kumar, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 22-01-2024

Heard learned senior counsel for the petitioner.

02. Learned senior counsel for the petitioner submits
that in the instant petition the petitioners have come before this
Court with limited prayer for a direction to the learned



Subordinate Judge-II, Purnea for preparation of final decree in Title Suit No. 03 of 1996 within the stipulated period. Learned senior counsel further submits that vide order dated 25.03.2021, the learned trial court ordered for preparation of final decree in accordance with the report of Survey Knowing Pleader Commissioner, but even after lapses of about three years, final decree has not been prepared. Thus, the learned senior counsel submits that the learned trial court be directed to take steps for preparation of final decree in Title Suit No. 03 of 1996 within the stipulated period.

03. In this petition, prayer has been made for a direction to the learned Subordinate Judge-II, Purnea, though, as it appears, it has already directed for preparation of final decree, therefore, the final decree in Title Suit No. 03.1996 be prepared in terms of order dated 25.03.2021 within a period of three months from the date of receipt/production of a copy of this order, if otherwise there is no issue.

04. Accordingly, the present Civil Misc. Petition stands disposed of.

(Arun Kumar Jha, J)

Ashish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	23.01.2024
Transmission Date	N/A

