

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.35 of 2000

- 1.1. Kamla Devi Wife Of Late Madan Mohan Sahay Resident Of Village - Atimi, Police Station - Nasriganj, District- Rohtas (Bihar).
- 1.2. Kumar Vishwas Raushan Son Of Late Madan Mohan Sahay Resident Of Village - Atimi, Police Station - Nasriganj, District- Rohtas (Bihar).
- 1.3. Sanyogita Kumari D/O Late Madan Mohan Sahay Wife Of Sanjay Kumar Srivastava, Resident Of Village - Kothi Sahid Sukha Rauza, Sasaram, Police Station - Sasaram, District- Rohtas.
- 1.4. Ranjita Kumari D/O Late Madan Mohan Sahay, Wife Of Amit Kumar Sinha, Resident Of C/O Surendra Dubey Raj Colony, Gali No. 4, Sasaram, Police Station - Sasaram, District- Rohtas.
- 1.5. Sumita Kumari D/O Late Madan Mohan Sahay, Wife Of Akhil Kumar Srivastava, Resident Of C/O Sanjay Kumar Sinha, Chawar Takiya, Sasaram, Police Station - Sasaram, District- Rohtas.

... .. Appellant/s

Versus

1. Radhika Kuer Widow Of Late Radhika Raman Prasad Sinha @ Kamleshwar Prasad Sinha, Resident Of Village Atimi, P.S. Nasriganj, District- Rohtas, At Present Resident Of Mohalla New Area Dehri, P.S. Dehri-On-Sone, District- Rohtas.
2. Ajit Kumar Son Of Late Radhika Raman Prasad Sinha @ Kamleshwar Prasad Sinha Resident Of Village Atimi, P.S. Nasriganj, District- Rohtas, At Present Resident Of Mohalla New Area Dehri, P.S. Dehri-On-Sone, District- Rohtas.
3. Asha Kumari D/O Late Radhika Raman Pd. Sinha @ Kamleshwar Prasad Sinha, Resident Of Village Atimi, P.S. Nasriganj, District- Rohtas, At Present Resident Of Mohalla New Area Dehri, P.S. Dehri-On-Sone, District- Rohtas.
4. Central Bank Of India Through Branch Manager, Sasaram, Rohtas.
5. Punjab National Bank, Through Branch Manager, Sasaram, Rohtas.
6. Superintendent Of Post Office, Rohtas, Sasaram.
7. Sri Chhathu Lal S/O Late Deo Bansh Lal, R/O Vill Silari, P.S. Sheosagar, Dist. Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Jitendra Prasad Singh, Sr. Advocate Mr. Varun Krishna Singh, Advocate
For the Respondent/s	:	Mr. Narendra Rai, Advocate Mr. Akhouri Vipin Bihari Shrivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL JUDGMENT



Date : 17-02-2025

1. Heard learned senior counsel for the appellants, Mr. Jitendra Prasad Singh and the learned counsel for the respondents, Sri Nagendra Rai along with Sri Akhouri Vipin Bihari Shrivastava.

2. This appeal is directed against the judgment and decree dated 30.09.1999 and 08.10.1999 respectively passed by the learned Sub Judge-IX, Sasaram (Rohtas) in Title Suit No. 160 of 1985.

3. The case was heard for some time and thereafter the learned counsel for the respondents, Sri Nagendra Rai along with Sri Akhouri Vipin Bihari Shrivastava have prayed for withdrawal of Title Suit No. 160 of 1985 with liberty to prefer an appropriate application in this Court along with a limitation petition.

4. In view of the aforesaid prayer, the Title Suit No. 160 of 1985 filed by the respondents is permitted to be withdrawn with the aforesaid liberty to the respondents. Consequently, the judgment and decree dated 30.09.1999 and 08.10.1999 passed by the Sub-Judge-IX Sasaram in Title Suit No. 160 of 1985 is also hereby set aside.



5. Mr. Jitendra Prasad Singh, learned senior counsel appearing for the appellants has no objection to the withdrawal of the Title Suit No. 160 of 185 along with the aforesaid observation by this Court.

6. The learned counsel for the respondents-plaintiffs is permitted to file an appropriate application/appeal in this Court along with a limitation petition.

7. If such an application is filed by the respondents-plaintiffs with an appropriate application along with limitation petition, the same shall be considered in accordance with law.

8. Mr. Jitendra Prasad Singh, learned senior counsel for the appellants has further submitted that if and when an application/appeal is filed before this Court and a copy of the memo of appeal/application is served upon him, he will accept the same, appear and will cooperate in the early disposal of the appeal/application.

9. In view of the discussions made above, the appeal is disposed off accordingly.

10. The records of the case be retained so that they may be utilized for the disposal of any appeal/application which may be filed in this Court.



11. Pending application/s, if any, shall also stand disposed off accordingly.

(Sandeep Kumar, J)

Shishir/-

AFR/NAFR	NAFR
CAV DATE	N/A
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