

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.581 of 2025

1. Smt. Monika Rani Wife of Sri Sanjay Kumar Saha, Resident of Village-Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.
2. Sri Sanjay Kumar Saha Son of Dinanath Saha, Resident of Village-Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.

... .. Petitioner/s

Versus

1. Smt. Rozy Devi Wife of Sri Sanjit Kumar Singh, Resident of Village-Madhukarchak, Police Station and Anchal- Bihariganj, District- Madhepura.
2. Smt. Switi Kumari Wife of Sri Ranjit Kumar Singh, Resident of Village-Madhukarchak, Police Station and Anchal- Bihariganj, District- Madhepura.
3. Smt. Rupa Kumari Wife of Sri Manoj Kumar Saha, Resident of Village-Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.
4. Smt. Ashika Anjali Wife of Sri Ajay Kumar Saha, Resident of Village-Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.
5. Sri Srinath Sah Son of Late Somnath Saha, Resident of Village- Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.
6. Sri Dinanath Saha Son of Late Somnath Saha, Resident of Village-Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.
7. Sri Chandranath Saha Son of Late Dayanath Saha, Resident of Village-Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.
8. Sri Indranath Saha Son of Late Dayanath Saha, Resident of Village-Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.
9. Sri Pemnath Saha Son of Late Dayanath Saha, Resident of Village-Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.
10. Sri Brahmnnath Saha Son of Late Devnath Saha, Resident of Village-Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.
11. Sri Pradip Saha Son of Late Devnath Saha, Resident of Village- Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.
12. Sri Vijay Kumar Saha Son of Late Devnath Saha, Resident of Village-Bihariganj, Police Station and Anchal- Bihariganj, District- Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Dubey, Advocate
		Mr.Uday Chand Prasad, Advocate
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER



2 12-05-2025 Record taken up on mentioning being made on behalf of the petitioners.

2. Learned counsel for the petitioners at the outset submits that inadvertently the present civil miscellaneous has been filed against the order dated 07.02.2025 passed by learned Civil Judge, Senior Division-I, Udakishunganj, Madhepura in Title Suit No. 23 of 2022, whereby and whereunder the petition dated 07.07.2022 filed under Order 39 Rule 1 and 2 read with Section 151 of the Code of Civil Procedure has been rejected and against such order Miscellaneous Appeal would lie under Order 41 Rule 1(r) of the Code of Civil Procedure.

3. Having regard to the submission, learned counsel for the petitioners is directed to convert the present petition into Miscellaneous Appeal within a week after opening of the Court after summer vacation.

4. Office is directed to extend all cooperation.

(Arun Kumar Jha, J)

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