

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.832 of 2023

1. Nageshwar Pd. Rai Son of Late Ramyaudha Rai @ R.A. Prasad Resident of Village- Idilpur, P.O. - Warbay, P.S. - Driyapur, District- Saran (Chhapra).
2. Surendra Rai @ Surendra Pd. Yadav Son of Late Ramyaudha Rai @ R.A. Prasad Resident of Village- Idilpur, P.O. - Warbay, P.S. - Driyapur, District- Saran (Chhapra).
3. Chandra Bhushan Rai, Son of Late Durga Rai, Resident of Village- Idilpur, P.O. - Warbay, P.S. - Driyapur, District- Saran (Chhapra).
4. Ashok Rai, Son of Late Durga Rai, Resident of Village- Idilpur, P.O. - Warbay, P.S. - Driyapur, District- Saran (Chhapra).
5. Upendra Rai, Son of Late Durga Rai, Resident of Village- Idilpur, P.O. - Warbay, P.S. - Driyapur, District- Saran (Chhapra).
6. Arjun Prasad, Son of Late Baijnath Rai, Resident of Village- Idilpur, P.O. - Warbay, P.S. - Driyapur, District- Saran (Chhapra).
7. Rameshwar Rai, Son of Late Baijnath Rai, Resident of Village- Idilpur, P.O. - Warbay, P.S. - Driyapur, District- Saran (Chhapra).
8. Shanti Kuar, Wife of Late Raghubansh Rai, Resident of Village- Idilpur, P.O. - Warbay, P.S. - Driyapur, District- Saran (Chhapra).

... .. Petitioner/s

Versus

1. Ramnath Rai Son of Late Yamuna Rai, Resident of Village- Idilpur, P.S. - Dariyapur, P.O. - Warbey, District- Saran (Chhapra).
2. Tarkeshwar Rai, Son of Late Shakichand Rai, Resident of Village- Idilpur, P.O. - Warbey, P.S. - Dariyapur, District- Saran (Chhapra).
3. Lomrhi Devi, Wife of Dhramnath Rai @ Bimit Buttu Rai, Resident of Village- Idilpur, P.O. - Warbey, P.S. - Dariyapur, District- Saran Chhapra.
4. Vijay Rai, Son of Sudhama Rai, Resident of Village- Idilpur, P.O. - Warbey, P.S. - Dariyapur, District- Saran (Chhapra).
5. Sujit Rai (Minor) Son of Sudhama Rai marphat Sudama Rai Son of Oli Karibtar Khairsah, Resident of Village- Idilpur, P.O. - Warbey, P.S. - Dariyapur, District- Saran (Chhapra).
6. Jayram Rai Son of Late Jimadari Rai, Resident of Village- Idilpur, P.O. - Warbey, P.S. - Dariyapur, District- Saran (Chhapra).
7. Rajesh Rai, Son of Late Jimadari Rai, Resident of Village- Idilpur, P.O. - Warbey, P.S. - Dariyapur, District- Saran (Chhapra).
8. Hary Ram Rai Son of Late Jimadari Rai Resident of Village- Idilpur, P.O. - Warbey, P.S. - Dariyapur, District- Saran (Chhapra).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar
For the Respondent/s : Mr.



CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 01-11-2025 No one appeared on behalf of the respondent (plaintiff therein) despite service of several notices.

2. The instant civil miscellaneous application has been filed by the petitioner to set aside the interlocutory order dated 14.03.2023 passed by the learned Munsif, Sonpur Saran in pending Title Suit No. 118 of 2015.

3. Learned counsel for the petitioner (defendant therein) submits that he had filed a petition under Order VII Rule 11 for rejection of the plaint filed by the plaintiff in the aforesaid suit which was rejected by the impugned order dated 14.03.2023.

4. During course of argument, learned counsel for the petitioner fails to state on which ground the said petition has been filed under Order VII Rule 11. Altogether six Sub-provisions have been enumerated in Order VII Rule 11. Learned counsel for the petitioner totally fails to make out a case in any of the aforesaid provision.

5. In the impugned order, learned Trial Court has rightly held that suit is fit to be admitted for proper and complete adjudication of this case, and accordingly he has rejected the petition filed by the defendant (petitioner herein).



6. Hence, this Civil Miscellaneous petition is devoid
of any merit and accordingly, the same stands dismissed.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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