

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.725 of 2022**

1. Sone Lal Tudu, Son of Late Ratu Tudu
 2. Jisu Tuddu, Son of Late Manjna Tuddu
 3. Pachu Tuddu, Son of Puran Tudu
 4. Sibu Tuddu, Son of Manjna Tuddu
 5. Rashmi Tuddu, Wife of Late Rakesh Tuddu
 6. Shivendra Tuddu @ Shivrindan Tudu, Son of Late Pawan Tuddu
 7. Dulari Tuddu, Daughter of Late Ravan Tuddu
- All are residents of Village- Badgunda, Post and Police Station- Chakai,
District- Jamui.

... .. Petitioner/s

Versus

1. Leelavati Devi, Wife of Late Reet Lal Yadav @ Reet Lal Mahto
 2. Congress Yadav, Son of Late Reet Lal Yadav @ Reet Lal Mahto
 3. Bhothua Devi, Daughter of Late Reet Lal Yadav @ Reet Lal Mahto
 4. Marni Devi, Daughter of Late Reet Lal Yadav @ Reet Lal Mahto
- All are residents of Village- Badgunda, Post and Police Station- Chakai,
District- Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT**

Date : 21-03-2025

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

2. The petitioner is aggrieved by the order dated
05.11.2019 passed by the learned Additional Munsif-II, Jamui in
Title Suit No. 85 of 1998 whereby and whereunder the learned
trial court rejected the petition dated 05.09.2019 (but wrongly
mentioned the petition dated 01.02.2006) filed by the



plaintiffs/petitioners for getting exhibited certain documents.

3. The learned counsel for the petitioners submits that the defendants/respondents filed on record a number of documents, but got only some documents exhibited and left other documents to be marked exhibits. The documents, which have been left to be marked as exhibits on behalf of the defendants, are the documents favourable to the case of the plaintiffs/petitioners and, for this reason, the defendants did not get those documents marked as exhibits. But the learned trial court did not consider this fact and passed the order. The learned counsel further submits that due to inadvertence, in the present civil miscellaneous petition, the facts could not be properly presented.

4. Perused the record.

5. From perusal of record, it transpires that the defendants filed certain documents and the learned trial court did mark one document as an exhibit considering it to be public document and did not mark other documents as exhibits. The plaintiffs/petitioners moved before the learned trial court praying for marking other documents filed by the defendants as exhibits. But from the impugned order, it transpires that the learned trial court considered the facts and rejected the prayer



observing that only the document of the Collector in Case No. 16/1995-96 was a public document and would be marked as an exhibit and other documents were private documents and the case was at the stage of argument.

6. In the light of aforesaid discussion, I do not find the impugned order suffers from any infirmity as the same has been passed after due consideration of facts and law and, therefore, the same is affirmed.

7. Accordingly, the instant petition is dismissed.

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.03.2025
Transmission Date	NA

