

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17932 of 2015

1. Lal Babu Sah son of Late Jharilal Sah resident of Mohalla-Suratganj, Ward No.-15, Madhubani Town, P.S. and District-Madhubani.
2. Ashok Kumar Sah
3. Shobha Sah @ Om Prakash Sah All three Sons of Late Jharilal Sah
4. Kishori Devi D/o Late Jharilal Sah All 1 to 4 resident of Mohalla - Suratganj, Ward No. 15, Madhubani Town, P.S. and District - Madhubani

... .. Petitioner/s

Versus

1. Yugeshwar Sah S/o Late Vilat Sah resident of Mohalla-Suratganj, Ward No.-15, Madhubani Town, P.S. and District-Madhubani.
- 2.1. Sri Rambilash Sah S/o Late Bishwanath Sah and Late Mithila Devi, resident of Mohalla-Suratganj in Madhubani Town, Ward No. 15, P.S. and District-Madhubani.
- 2.2. Pawan Kumar Sah, son of Ram Bilash Sah resident of Mohalla-Suratganj in Madhubani Town, Ward No. 15, P.S. and District-Madhubani.
- 2.3. Umesh Kumar Sah, son of Ram Bilash Sah, resident of Mohalla-Suratganj in Madhubani Town, Ward No. 15, P.S. and District-Madhubani.
- 2.4. Smt. Manju Gupta, W/o Sri Satya Narayan Sah, Resident of Sonwarsha Chowk, South of M.K. Traders, Ward No. 13, P.S. and District-Samastipur.
- 2.5. Smt. Mamta Devi, W/o Sri Ashok Kumar Sah, daughter of Late Bishwanath Sah and Late Smt. Mithila Devi, Resident of Mauza-Maniyapur, Ward No. 5, P.S.-Warishnagar, District-Samastipur.
3. Shivaji Sah
4. Mahadeo Sah
5. Arun Kumar Sah
- 6.1. Ravi Kumar, son of Late Badri Sah, Resident of Mohalla-Suratganj Noniya Tola, Ward No. -15, P.S.-Madhubani Town, District-Madhubani.
- 6.2. Ranjan Kumar, son of Late Badri Sah, Resident of Mohalla-Suratganj Noniya Tola, Ward No. -15, P.S.-Madhubani Town, District-Madhubani.
- 6.3. Raj Kumar, Son of Late Badri Sah, Resident of Mohalla-Suratganj Noniya Tola, Ward No. -15, P.S.-Madhubani Town, District-Madhubani.
- 6.4. Rakesh Kumar, son of Late Badri Sah, Resident of Mohalla-Suratganj Noniya Tola, Ward No. -15, P.S.-Madhubani Town, District-Madhubani.
- 6.5. Krishna Kumar, Son of Late Badri Sah, Resident of Mohalla-Suratganj Noniya Tola, Ward No. -15, P.S.-Madhubani Town, District-Madhubani.
- 6.6. Samir Kumar, Son of Late Badri Sah, Resident of Mohalla-Suratganj Noniya Tola, Ward No. -15, P.S.-Madhubani Town, District-Madhubani.
7. Vishwanath Sah
8. Mohan Sah



9. Madan Sah All 7 to 9 sons of Late Bharat Sah All 1 to 9 resident of Mohalla - Suratganj, Ward No. 15, Madhubani Town, P.S. and District - Madhubani
10. Dolly Kumari
11. Puja Kumari
12. Shiwani Kumari All 10 to 12 minor daughter of Late Babu Sah Under guardianship of their mother namely Manju Devi
13. Manju Devi Widow of Late Bablu Sah All 10 to 13 residents of Madhubani Town, Ward No. 12, P.S. and District - Madhubani
14. Smt. Sumitra Devi W/o Ramcharitra Sah, D/o Late Bharat Sah Resident of village - Rahipur, P.S. Ramnagar, District -
15. Smt. Geeta Devi D/o Late Bharat Sah, W/o Pawan Kumar Sah Resident of Mohalla - Rosera Bazar Chowk, P.S. Rosera, District - Samastipur

... .. Respondent/s

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Rashid Rais, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 22-08-2025 Upon repeated calls, no one appears on behalf of the petitioners. However, learned counsel for the respondents is present.

2. The present writ petition has been filed for quashing of the order dated 02.09.2015 passed by the Sub Judge 1st, Madhubani in Partition Suit No.130 of 1984.

3. During the pendency of this writ application, changes have been introduced in the filing procedure, whereby Chapter IIIA of Rules of the High Court at Patna, 1916 has been substituted by C.S. No.151 dated 14.03.2016 (w.e.f. 01.04.2016), published in the Extraordinary Bihar Gazette No.208 dated 26.03.2016, which provides as follows:-



“6. Petitions under Article 227 of the Constitution of India in respect of any order or any proceeding before any Civil Court, would be filed in Civil Miscellaneous Jurisdiction and would be numbered as Civil Miscellaneous No. (C. Misc. No.).”

4. Since, the present writ application appears to have been filed in respect of an order/proceeding before a Civil Court, learned counsel for the petitioners is directed to take steps to convert the present writ application into a Civil Miscellaneous Case within six weeks from today. Thereafter, the Office shall proceed further in accordance with law.

(Dr. Anshuman, J)

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